

ORANGE ZONING COMMISSION
MINUTES OF THE AUGUST 7, 2018 MEETING

Approved Minutes

The Town Plan and Zoning Commission held a Meeting on Tuesday, August 7, 2018, at 7:00 p.m., Town Hall, 617 Orange Center Road. The following members attended:

Oscar Parente, Esq., Chairman
Judy Smith, Vice-Chairman
Ralph Aschettino
Kevin Cornell, Esq.

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

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 June 19, 2018 and July 3, 2018 Meetings.

A motion was made by Ralph Aschettino and seconded by Judy Smith to accept and approve the Minutes from the June 19, 2018 Meeting, as amended. The motion carried with the vote recorded as follows: Aschettino, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

A motion was made by Judy Smith and seconded by Kevin Cornell to accept and approve the Minutes from the July 3, 2018 Meeting, as written. The motion carried with the vote recorded as follows: Smith, aye; Cornell, aye; Aschettino, abstain; Parente, aye. The vote was recorded as 3-0-1 to accept and approve the motion.

There were no further comments.

8-24 Referral Municipal Improvements – Request by the Town of Orange to acquire property known as 28 Salemme Lane.

Town Attorney Vincent Marino stated that this property, 28 Salemme Lane, is currently owned by Orange Land Developers (OLD). Attorney Marino stated that a train station is not slated to be located in Orange at this time. The State may eventually locate a train station adjacent to this property. They are willing to award the Town of Orange a grant, approximately \$6.1 million, to purchase and take ownership of the property. There would be no out-of-pocket cost to the Town. In return, the Town must grant an easement to the State to provide access to a train platform if it is developed in the future.

Attorney Marino expressed his opinion that this is a great opportunity for the Town. Attorney Marino further stated that he has spoken with First Selectman James Zeoli, who also supports this proposal. Chairman Parente asked if OLD is prepared to sell their property. Attorney Marino stated that this proposal is by their initiative. A brief discussion ensued.

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Attorney Marino stated that the 8-24 is a referral. It sets the vote for the Board of Selectman meeting tomorrow night. Attorney Marino noted that this is the only parcel that is not LI-2. It is presently TODD.

After a brief discussion, a motion was made by Ralph Aschettino and seconded by Judy Smith to provide a favorable recommendation for the 8-24 Referral Municipal Improvements – Request by the Town of Orange to acquire property known as 28 Salem Lane. The motion carried with the vote recorded as follows: Aschettino, 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.

8-24 Referral Municipal Improvements – Proposed donation of land from Starwood Ceruzzi Meadows LLC to the Town of Orange. For properties known as Lot 55-06-02; Lot 55-06-13; Lot 56-01-02B; and Lot 56-01-09; 20.29 total acres.

Town Attorney Vincent Marino distributed information to the Commission members. Attorney Marino expressed his belief that this is mostly wetlands. However, it will still be open space. Attorney Marino stated that it would be a benefit to increase the buffer to businesses.

After a brief discussion, a motion was made by Judy Smith and seconded by Ralph Aschettino to provide a favorable recommendation for the 8-24 Referral Municipal Improvements – Proposed donation of land from Starwood Ceruzzi Meadows LLC to the Town of Orange. For properties known as Lot 55-06-02; Lot 55-06-13; Lot 56-01-02B; and Lot 56-01-09; 20.29 total acres. The motion carried with the vote recorded as follows: Smith, aye; Aschettino, aye; Cornell, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

There were no further comments.

Request by the Orange Economic Development Commission for a Special Event known as the ‘Orange Stampede’ - the idea of using public art to draw awareness and traffic to the Retail Sector, by placing life-size oxen in targeted locations along the Boston Post Road.

Annamarie Sliby, Executive Director of Orange Economic Development, stated that this request will help gain awareness to the Town of Orange. It would be a 5’ x 8’ life-size acrylic oxen displayed at businesses in Town. Ms. Sliby stated that it would be a public art display. She noted that other municipalities, such as Saratoga, NY have participated in similar events.

Commissioner Aschettino asked how long this Special Event would last. Ms. Sliby stated that the event would take place from June 2019 to September 2019. Discussion ensued regarding the importance of maintaining clear site lines. Ms. Sliby stated that this event may involve tours of the oxen at various businesses.

Chairman Parente asked Zoning Enforcement Officer Paul Dinice for his comments. ZEO Dinice stated that there are issues not covered by the regulations, such as banners that were erected on street lights and banners hung across Orange Center Road to advertise certain town

events. ZEO Dinice stated that the oxen must be located on private property. A site plan is required, along with approval by the Building Inspector. A brief discussion ensued.

Chairman Parente expressed his opinion that this is a good idea. He stated that the concept could be approved tonight, with the condition that the Building Inspector approves the method of attachment.

A motion was made by Ralph Aschettino and seconded by Judy Smith to accept and approve the Request by the Orange Economic Development Commission for a Special Event known as the "Orange Stampede", June 2019 through September 2019, subject to the following conditions: Method of attachment must be approved by the Building Inspector. Each location must be approved by the Zoning Enforcement Officer, and the TPZC, if the ZEO feels that it's necessary. The motion carried with the vote recorded as follows: Aschettino, 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.

PUBLIC HEARINGS 7:30 p.m. *(2)

SPECIAL PERMIT APPLICATION – For the sale and/or Processing of Agricultural Products. For property known as 870 Garden Road. Submitted by property owners Raymond & Maryellen Holden. The request is to construct a 20' x 30' addition to an existing barn. A request has been made for the waiver of the submission of a sealed site plan as per Section 383-117B (1).

Ray and Maryellen Holden stated that they want to construct an addition to their existing farm barn. Mrs. Holden stated that they were before the Commission in 2000. They were approved to provide agricultural sales and services. Mrs. Holden stated that they raise livestock and hay. They hold wreath decorating classes and they also conduct educational tours. Mrs. Holden stated that they need additional space. The proposed addition would be attached to the existing structure. A brief discussion ensued.

Zoning Enforcement Officer Paul Dinice stated that the barn is a substantial distance from the road. Commissioner Cornell stated that this proposal meets setback requirements. Commissioner Smith stated that the area is very well buffered. A brief discussion ensued regarding the waiver of the submission of a sealed site plan.

As there were no further comments, a motion was made by Ralph Aschettino and seconded by Kevin Cornell to close the public hearing. The motion carried with the vote recorded as follows: Aschettino, aye; Cornell, aye; Smith, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

A motion was made by Ralph Aschettino and seconded by Kevin Cornell to waive the submission of a sealed Site Plan. The motion carried with the vote recorded as follows: Aschettino, aye; Cornell, aye; Smith, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

A motion was made by Ralph Aschettino and seconded by Kevin Cornell to accept and approve the Special Permit Application for 870 Garden Road. The motion carried with the vote recorded as follows: Aschettino, aye; Cornell, aye; Smith, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

PETITION TO AMEND THE ORANGE ZONING REGULATIONS – Submitted by 32 Seniors, LLC. To amend the Planned Residential Development zoning regulations to reduce the restricted age from 62 to 55. Changes to Section 383-103 A, 383-109 C(4), and 383-113 (C) are proposed.

Chairman Parente asked if the Applicant was in attendance. Zoning Enforcement Officer Paul Dinice stated that he spoke with the owner of 32 Seniors, LLC yesterday, and reminded him of this meeting.

Chairman Parente opened the public hearing. He stated that it would be continued until the next meeting. He then asked if any audience member would like to speak.

James Zeoli, First Selectman, 617 Orange Center Road, stated that it's been a year since their last application so they are eligible to resubmit. First Selectman Zeoli stated that he spoke strongly against this proposal last year. He noted that he feels the same way now.

First Selectman Zeoli stated that some residents are distressed. The present owners bought it with full knowledge that the restricted age is 62. The building was constructed with this intention. First Selectman Zeoli expressed his belief that the age restriction should not be lifted. He stated that age restrictions are necessary.

First Selectman Zeoli stated that if the residents are being unfairly treated, he would go to HUD. He would work to find a grant on an agreed-upon assessed price to take over this facility. He expressed his belief that this facility needs a management service.

After a brief discussion, Chairman Parente stated that a decision would be made at the next meeting.

There were no further comments.

Report of the Zoning Enforcement Officer.

Zoning Enforcement Officer Paul Dinice stated that several abatement orders will be sent out tomorrow morning.

A Certificate of Occupancy has been issued to Urban Air. A letter will be submitted by the Fire Marshal with regard to the "people counter".

The new hotel construction is moving quickly. It is scheduled to open in the spring of 2019.

The ZEO submitted a request from an attorney representing 256 Peck Lane. The request was to release a Declaration on the Warranty Deed for the property. The ZEO will provide a copy of this request to the Town Attorney for his review. ZEO Dinice will keep the Commission informed.

Chairman Parente asked the ZEO about the T-shirt company, which is locating in Orange. ZEO Dinice expressed his belief that the construction contract is out to bid. The VA building is under construction.

Commissioner Smith asked about 119 Buttonball Road. ZEO Dinice stated a fine was paid by the property owner.

ZEO Dinice stated that the Municipal Department Heads do not have any issues with the Greek Church holding their annual Odyssey event. However, the Health Department must approve all food. They need a Certificate of Insurance and police presence. A brief discussion ensued. ZEO Dinice stated that he would arrange for a representative of the church to attend the next meeting.

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 additional items on the agenda, a motion was made by Ralph Aschettino and seconded by Kevin Cornell to adjourn the meeting. The motion carried with the vote recorded as follows: Aschettino, 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 8:10 p.m.

Respectfully Submitted,
Tamara Trantales
Administrative Assistant