

ORANGE ZONING COMMISSION
MINUTES OF THE SEPTEMBER 3, 2019 MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, September 3, 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
Kevin Cornell, Esq.

Paul Dinice, Zoning Enforcement Officer
Tamara Trantales, Administrative Assistant
Jack Demirjian, Zoning/Wetlands Assistant
Barbara Shellenberg, Town Attorney
Genevieve Bertolini, Recording Secretary

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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 mentioned that Commissioner Aschettino is on vacation and not able to attend this meeting.

Review of the Minutes from the August 20, 2019 meeting.

The Minutes from the August 20, 2019 meeting were not available for review.

There were no comments.

Commissioner Kaplan joined the meeting at 7:03 p.m.

Report of the Zoning Enforcement Officer.

Zoning Enforcement Officer Paul Dinice stated that he and Administrative Assistant Tammy have been taking their vacation days. He stated that a final inspection of the VA Care Center is scheduled for tomorrow. Various department heads will inspect the site. ZEO Dinice noted that it is a nice project. He stated that work on the Distribution Center is continuing. The scope and intensity of earth work is substantial. All Sedimentation & Erosion controls measures have been maintained.

There were no further comments.

Old Business.

There was no Old Business to discuss.

New Business.

There was no New Business to discuss.

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

Public Hearing

PETITION TO AMEND THE ORANGE ZONING REGULATIONS – Submitted by property owner 35 Old Tavern Road LLC – To amend Article IV, Section 383-33 et seq., of the Orange Zoning Regulations to permit mixed use residential development in the Local Shopping Center (LSC) District. (Continued from the July 2 & August 20, 2019 meetings.)
Chairman Parente stated that this proposal has been continued since July 2, 2019. He noted that Town Attorney Barbara Shellenberg is in attendance.

Chairman Parente stated that he is supportive of the idea of mixed-use residential use in a Town Center setting. Mr. Glenn Chalder, Planning Consultant, was asked to look at the proposal and to draft some revisions. He attempted to provide better controls and more discretion for the Commission. Chairman Parente noted that Mr. Chalder's comments are for the Commission's consideration; they are a guide.

Commissioner Kaplan questioned how many units there would be per acre. Attorney Shansky replied that there would be 15 units per acre. Commissioner Smith commented that it is too dense for her vision.

Chairman Parente stated that his concern is that the Commission doesn't want to promote mixed use on the Boston Post Road. The parcel must be identified in the POCD as a place where Town Center Development is suggested. Attorney Shansky thanked Chairman Parente for bringing a potential conflict to light. Discussion ensued.

Chairman Parente asked Commissioner Smith what her concern is regarding density. Commissioner Smith stated that she likes the Village concept. She noted that it is in the Plan for a reason. Commissioner Smith stated that density, in conjunction with the busy 5-way intersection, is a concern. She expressed her belief that 5 units per acre makes more sense to her. She noted that this is the Commission's first project concerning this type of development. Discussion ensued.

Attorney Shansky stated that Town Center Development is mixed use. It would be more pedestrian oriented, not car oriented. Discussion ensued. Chairman Parente reiterated that 15 units per acre is the maximum number allowed.

Commissioner Smith asked for further definition of non-residential space. Commissioner Smith inquired if the public could use all the facilities designated as non-residential space. Commissioner Cornell stated that perhaps Commissioner Smith's concern is that there is a tendency to build amenities that other places don't have, such as a little gym. Discussion ensued. Commissioner Kaplan stated that the Commission wants a vibrant first floor, not a gym which the public cannot attend. Discussion ensued. Chairman Parente expressed his belief that some of the stated concerns are a site plan issue.

Chairman Parente read a letter into the record from Mike Richetelli, dated today, 9/3/19.
ZEO Dinice read a letter into the record from Dwayne Hipp.

Lesley Giovanelli, 388 Racebrook Road, stated her belief that this project could be good if there is limited mixed use. She stated that this shopping center used to be bustling, with a bakery, a grocery store and other businesses. She expressed her belief that it should be revitalized.

Dennis Colisano, 451 Dogwood Road, stated that this project is not right for this intersection. Adding residences would mean more cars.

Jim Hatrick, 318 Racebrook Road, stated that he has lived here for 52 years. He urged the Commission to be very careful when deciding about this proposal. His concern is that Orange is turning into a city. He stated that progress isn't always a good thing. This is the busiest part of town. One child per apartment would mean 100 children. Mr. Hatrick stated that perhaps more teachers would be needed. He wonders if there would be enough police and if there would be adequate Fire Department protection. He stated that this is a major decision.

A resident from 323 Racebrook Road stated that he has lived here for 70 years. He rhetorically asked if we need this in town. Where are you going to put the cars? He commented that it would make it look like New Haven. He stated that there is already a lot of traffic on Racebrook Road. He urged the Commission to carefully consider this proposal. Attorney Shansky stated that she appreciates the concerns. She noted that definitions in alternative language are included. The POCD encourages this type of development on this site. Discussion ensued.

Chairman Parente questioned whether to keep the Public Hearing open. After a brief discussion, Attorney Shansky stated that she would be happy to provide an extension in writing.

Commissioner Kaplan stated his concerns about density. He expressed his belief that this is the worst intersection in town. He believes that 15 units per acre is very dense. He stated that this is an intense use for this area. Chairman Parente agreed that the traffic is terrible there now. It will be worse if the project is built. He stated that it would be a challenge for a developer. Attorney Shellenberg stated that you could consider traffic a problem. The Commission could obtain their own traffic study or expert information.

Chairman Parente expressed his belief that this is a great opportunity for the town. He reiterated that 15 units per acre is the maximum, not a pre-requisite. Discussion ensued. If the TPZC had previously drafted regulations for a Town Center type development, he believes it would look like what Mr. Chalder drafted. Commissioner Kaplan noted that the proposed regulations now have an affordability component. Chairman Parente stated that we marked this parcel as one where it would make sense in the POCD. It's a good idea to show a developer what we're looking for.

Chairman Parente stated that there are two LSC zones in town. Discussion ensued. Chairman Parente stated that there are properties on the Boston Post Road that would be eligible if combined. ZEO Dinice stated that it must be in the LSC district. Chairman Parente wants to be sure that the only eligible parcel in the LSC district is the parcel owned by the applicant. Discussion continued. Commissioner Kaplan expressed his concern about opening the door to residential use on the Boston Post Road. He stated that he doesn't want

that. Attorney Shansky stated that she does not have an objection to clarification of “no residential” on the Boston Post Road. Discussion ensued.

Mr. Colisano stated that he would like to know who will live in these apartments. He stated that the elderly would want a quieter area. He further stated that jobs attract young people. What do we offer for young people to stay and live here? He is afraid that there are other parcels of land in town which would qualify. Chairman Parente stated that the Commission has discretion. Discussion ensued. Mr. Colisano urged the Commission to be very careful.

Chairman Parente stated that another draft incorporating tonight’s comments could be available at the next meeting. The Public Hearing could then be closed and the TPZC could deliberate and vote. Attorney Shansky expressed concern that if the density is reduced drastically the feasibility of the project would be endangered. We now have 10% affordability component. There is a balance. Discussion ensued.

Commissioner Smith stated that in the Plan, she does not believe Town Center Development was conceived for a 6-acre parcel. Discussion ensued.

Chairman Parente stated that the Public Hearing would remain open. There were no additional comments.

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 9:03 p.m.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant