

ORANGE ZONING COMMISSION
MINUTES OF THE SEPTEMBER 20, 2018 MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a Meeting on Thursday, September 20, 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

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Chairman Parente welcomed everyone to the meeting. He asked those seated at the table to introduce themselves for the record.

Request by Lawrence J. Greenberg, representing Mr. Pasquale Minore, to address the TPZC concerning lighting issues at Turkey Hill School. A representative from the Orange Board of Education has also been invited.

Lawrence Greenberg, Esq., stated that he is representing several families on Cedarwood Drive. He stated that he had a conversation with Town Attorney Vincent Marino in the hallway prior to this meeting. Attorney Greenberg stated that the revised plan appears to be ok.

Vincent Marino, Esq., Cohen & Wolf, Town Attorney, submitted a lighting site plan into the record regarding the exterior site lighting at Turkey Hill School. Attorney Marino distributed the report to the commission members. He expressed his belief that the impact could be caused by the height variation of the houses. The Minore's house is at a higher elevation than Turkey Hill School. Attorney Marino stated that three lights do not conform to the Zoning Regulations. They would be refitted to be full cut off. They would then be in conformance with all light standards. Attorney Marino estimated that it would take 30-90 days to complete.

Chairman Parente asked about the outstanding notice of violations, along with the cease and desist order. Attorney Marino stated that Mr. Minore could apply for an appeal to the Zoning Board of Appeals if there is a disagreement with any decision by the Zoning Enforcement Officer. Chairman Parente stated that final plans would be reviewed by ZEO Paul Dinice. If he is satisfied, then the ZEO could rescind the notice of violation. ZEO Dinice stated that he would monitor the situation and report back to the Commission. Town Attorney Marino noted that any future correspondence should be directed to the Town of Orange and to the Board of Education.

There were no further comments.

SITE PLAN APPLICATION – Submitted by Craig Way for the HB Nitkin (property owner). For property known as 150 Boston Post Road; a.k.a. Assessor's Map 44-4-6. The proposal is for a change of use from retail to Automotive Repair. It includes minor parking lot modifications & restriping. There is no proposed additional pavement.

John Schmitz, BL Companies, is representing the applicant. He stated that the proposal is located next to Auto Zone. There would be six bays in the AAMCO building space. The applicant proposes that the parking lot be restriped. There would be some minor parking lot modifications. Mr. Schmitz stated that all pertinent signoffs have been obtained.

Zoning Enforcement Officer Paul Dinice stated that the Zoning Board of Appeals (ZBA) approved a Repairer's License for AAMCO. The Zoning Board of Appeals functions in a Site Plan Review capacity to approve car dealers, and automobile repairs services. He noted that there would not be any outdoor part storage. ZEO Dinice stated that WPCA staff R. Scott Allen has discussed potential oil spills with the applicant. He also spoke with the State. R. Scott Allen has signed off on the proposal.

Commissioner Smith inquired what the hours of operation would be. Mr. Schmitz expressed his belief that they would be open seven days a week. They would possibly be open from 7 a.m. to 7 p.m. ZEO Dinice stated that emails between R. Scott Allen and Mr. Schmitz are part of the record. A brief discussion ensued. Chairman Parente stated that, regarding Health, Safety and Welfare, the applicant must be certain that oil spill protections are in place. A brief discussion ensued concerning that the floor would be properly sealed.

A motion was made by Ralph Aschettino and seconded by Kevin Cornell to accept and approve the SITE PLAN APPLICATION for property known as 150 Boston Post Road, with the condition that the floor is properly sealed. 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.

There were no further comments.

Review of the Minutes from the September 4, 2018 Meeting.

A motion was made by Judy Smith and seconded by Ralph Aschettino to accept and approve the Minutes from the September 4, 2018 Meeting, as amended. 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.

PUBLIC HEARINGS 7:30 p.m. *(1)

*SPECIAL PERMIT APPLICATION – Request for the reduction in the number of required parking spaces as per Section 383-175 of the Orange Zoning Regulations. For property known as 393 Derby Ave. Submitted by property owner Chinmaya Mission. Additional parking is required to utilize existing basement space. A SITE PLAN APPLICATION has also been submitted.

Paul Holub, Architect for the project, stated that he submitted a plan at the last meeting on September 4, 2018. Mr. Holub stated that the Town Engineer, Bob Brinton, requested more information. He requested that the revisions appear on the Site Plan.

Chairman Parente stated that the applicant has submitted a revised storm water management plan. It was designed for 80 spaces, which are required. Chairman Parente noted that 60 spaces must be provided if the wavier is approved.

After a brief discussion, Chairman Parente stated that the applicant has demonstrated that the property could support 80 parking spaces. He noted that the applicant must complete the storm water plan with the installation of the new parking spaces. Chairman Parente stated that the requested revisions to the Site Plan have been made.

Commissioner Cornell stated that the existing pavement is permeable. This is a key feature of the storm water management plan. A brief discussion ensued. Chairman Parente asked if there were any comments from the audience. There were none.

A motion was made by Ralph Aschettino and seconded by Judy Smith to close the public hearing. 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 Ralph Aschettino and seconded by Judy Smith to accept and approve the SITE PLAN APPLICATION for 393 Derby Avenue and the SPECIAL PERMIT APPLICATION for the reduction in the number of parking spaces.. 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.

Report of the Zoning Enforcement Officer.

Zoning Enforcement Officer Paul Dinice stated that he was subpoenaed on a private matter along with Fire Marshal Tim Smith. ZEO Dinice noted that he would be on vacation next Thursday and Friday.

ZEO Dinice stated that he is preparing a report of violations which were resolved.

The hotel is progressing. There was a dispute with the framing contractor. That issue has been resolved and construction has continued.

Other construction projects include the VA Care Center at 200 Edison Road and the High Tech. Ink Company at 220 Edison Road. Both projects are moving forward quickly.

Chairman Parente inquired about the demolition of the existing building at 35 Executive Blvd. ZEO Dinice stated that the building is slated to be razed shortly. He noted that the contractor has done an excellent job keeping the Town informed concerning construction activities.

Chairman Parente commented that all projects this Commission has approved are progressing.

ZEO Dinice suggested to the Commission that they review the regulations regarding churches. He stated that the parking requirement was satisfactory for community churches. After a brief discussion, ZEO Dinice expressed his belief that the parking requirements should be increased.

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 for a five minute recess. He reconvened the meeting after five minutes.

Review of possible standards & regulations concerning 'trailers', 'notification of adjacent property owners', & 'prohibition of roosters'.

Zoning Enforcement Officer Paul Dinice stated that there is a large amount of literature regarding free range chickens. More and more residents are raising chickens in town. ZEO Dinice stated that he receives numerous complaints from Orange residents with respect to the noise they generate. He has drafted regulations in response to these complaints. Discussion ensued. Chairman Parente stated that it would be helpful if residents email the ZEO with their comments concerning this matter.

ZEO Dinice stated that he spoke with Town Attorney Vincent Marino regarding the use of trailers in town. Attorney Marino drafted regulations concerning this issue. ZEO Dinice stated that this regulation addresses trailers other than construction or "dump" trailers. Discussion ensued. Chairman Parente agrees that a construction trailer should not be parked on a property for years. ZEO Dinice stated that this matter would be on the next agenda. He noted that he is still gathering information.

There were no further comments.

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.

9/20/18

TPZC MINUTES

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The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Tamara Trantales
Administrative Assistant