

ORANGE ZONING COMMISSION
MINUTES OF THE OCTOBER 6, 2020 MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, October 6, 2020, at 7:00 p.m., a Zoom Internet meeting. The following members were in attendance.

Judy Smith, Vice-Chairman
Paul Kaplan, Esq., Secretary
Kevin Cornell, Esq., PE
Thomas Torrenti, PE

Jack Demirjian, Zoning Enforcement Officer
Tamara Trantales, Administrative Assistant
Bonnie Syat, Recording Secretary

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The meeting began at 7:20 p.m. due to technical difficulties. Vice-Chairman Smith stated that she would be preside over tonight's meeting due to the absence of Chairman Parente. Vice-Chairman Smith welcomed everyone to the Zoom video remote meeting. She noted those in attendance.

Review of the Minutes from the September 15, 2020 meeting.

A motion was made by Paul Kaplan and seconded by Kevin Cornell to accept and approve the September 15, 2020 Minutes, as amended. The motion carried with the vote recorded as follows: Kaplan, aye; Cornell, aye; Torrenti, aye; Smith, aye. The vote was recorded as 4-0 to accept and approve the motion.

Old Business

There was no Old Business to discuss.

New Business

There was no New Business to discuss.

Report of the Zoning Enforcement Officer

Zoning Enforcement Officer Jack Demirjian stated that 197 Indian River Road has halted construction because the developer has encountered some funding issues. Ron Rinaldi, of KBE Development, told ZEO Demirjian that their funding issues are Covid related. A brief discussion ensued. ZEO Demirjian stated that the site is stable. People are there from the Langan company daily, but not for construction. ZEO Demirjian stated that they have been good at updating him. Lately, the reports have indicated that they were not progressing. ZEO Demirjian contacted Langan. They are prepared to resume construction in mid-December or January. ZEO Demirjian reiterated that the site is stable. The property is gated; there is no open access.

ZEO Demirjian stated that he called several municipalities regarding Airbnbs. Simsbury is a comparable town to Orange. ZEO Demirjian stated that Simsbury is currently reviewing information about Airbnbs. They've been working on it for over a year. Discussion ensued. ZEO Demirjian noted that Simsbury is creating a Special Permit for Airbnbs. They need to certify that they have a short-term rental unit. There would have a running list to make it easier to monitor. Simsbury had issues with party houses and noise issues in the past. People would rent a house for two days. When they left, another group would rent it for two days.

ZEO Demirjian stated that we would have the ability to limit cars; Simsbury outlined it very well in their paperwork.

ZEO Demirjian asked the Commission if they would like to proceed with a Special Permit regulating them or would they support a zoning regulation amendment prohibiting Airbnbs. Discussion ensued. ZEO Demirjian noted that Simsbury sees a need to regulate Airbnbs now as they believe the use will increase in the future.

Vice-Chairman Smith thanked ZEO Demirjian for the information. She stated that she would like to have a full Commission present when this matter is discussed. ZEO Demirjian stated that it would be on the next agenda.

There were no additional comments.

MODIFICATION OF SITE PLAN APPROVAL - Submitted by Ken Thomas for property known as 131 Boston Post Road. Original Site Plan approved by the TPZC on February 4, 2020. Request to fill newly acquired land on the rear and side of the property to match existing grades.

Ken Thomas, property owner, stated that he would like to expand his Site Plan to bring in fill for future parking or another use. He stated that he would appear before this Commission when he decides how he is going to use this area in the future. Mr. Thomas stated that it is an existing 2:1 slope to land he has acquired.

Commissioner Cornell stated that the plan he is looking at does not delineate the difference of "before and after". Discussion ensued regarding property lines. Commissioner Torrenti stated that the easterly property line is not shown on this map. He stated that Mr. Thomas acquired about 30'.

Commissioner Cornell inquired about wetlands on the property. ZEO Demirjian stated that he spoke with the Inland/Wetlands Chairman, Rick Mangione. Chairman Mangione was comfortable with ZEO Demirjian signing off on the proposal. It was noted that Mr. Thomas currently complies with the regulations. Vice-Chairman Smith asked Mr. Thomas if he would pave this area. Mr. Thomas responded that he does not have any plans to pave the area under this site plan. He stated that perhaps in the future, he will bring another plan before the Commission.

A motion was made by Paul Kaplan and seconded by Tom Torrenti to accept and approve the Modification of Site Plan for property known as 131 Boston Post Road. The original Site Plan was approved by the TPZC on February 4, 2020. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; Cornell, aye; Smith, aye. The vote was recorded as 4-0 to accept and approve the motion.

There were no additional comments.

PUBLIC HEARINGS (CONTINUATION): 7:00 p.m.

APPLICATION FOR SPECIAL USE -Submitted by Tom D'Aulizio, for property known as 94 Sunset Drive - Request for larger ground coverage as per Section 383-26I (3)(a). To construct a 30'x 32' garage for additional storage.

It was stated that at the last meeting, the plan had inaccuracies. The plan has since been revised.

Tom D'Aulizio, Applicant, explained that the last time the drawing was inaccurate because it was measured from the street line, not the property line. A brief discussion ensued. Mr. D'Aulizio stated that the plan has been reengineered and the structure is well within the setbacks. He noted that he thought he had .88 acres. The engineered drawing revealed that he has 1.20 acres. Discussion continued. ZEO Demirjian stated that the Assessor inputs all information for the GIS system. He uses land records from the Town Clerk. Some calculations could be from 60 to 80 years ago. Applicants file their documents in the Clerk's office, which helps to update our records.

Commissioner Kaplan inquired how big the existing shed is. Mr. D'Aulizio stated that it is 12' x16'. A brief discussion ensued. Vice-Chairman asked the Commissioners if they had an opportunity to drive by the property. The consensus of the Commission was affirmative. Mr. D'Aulizio stated that he had eight pine trees removed. The stumps will be removed, and he will plant different trees. A brief discussion ensued regarding buffers. Vice-Chairman Smith asked ZEO Demirjian if he had the letters of support. He replied affirmatively and read the names and addresses of the supporting letters into the record. Mr. D'Aulizio stated the neighbors who wrote support letters are in direct view of the proposed garage.

As there were no additional comments, a motion was made by Paul Kaplan and seconded by Tom Torrenti to close the Public Hearing. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; Cornell, aye; Smith, aye. The vote was recorded as 4-0 to accept and approve the motion.

Commissioner Cornell thanked the Zoning office for providing information of other large barns and garages the Commission approved. Commissioner Cornell stated that a Special Use application makes it necessary to find that this proposal is consistent with the Plan of Conservation and Development (POCD). Vice-Chairman Smith read a portion of the POCD into the record. Commissioner Cornell stated that this project will not affect adjacent neighbors. There would not be a change to traffic generation. This proposal would have a positive effect on property values. Commissioner Cornell stated that it looks like a nice garage.

Commissioner Kaplan noted that this project is in harmony with the neighborhood. Commissioner Torrenti agreed. Vice-Chairman Smith stated that at the last TPZC meeting, the plan had inaccuracies. The plan has since been revised.

A motion was made by Paul Kaplan and seconded by Tom Torrenti to accept and approve the Application for Special Use for property known as 94 Sunset Drive, to construct a 30'x 32' garage for additional storage. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; Cornell, aye; Smith, aye. The vote was recorded as 4-0 to accept and approve the motion.

There were no additional comments.

As this was the last item on the agenda, a motion was made by Paul Kaplan and seconded by Tom Torrenti to adjourn the meeting. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; Cornell, aye; Smith, aye. The vote was recorded as 4-0 to accept and approve the motion.

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant