

ORANGE ZONING COMMISSION
MINUTES OF THE JANUARY 18, 2022 MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, January 18, 2022, at 7:00 p.m., lower level, Orange Town Hall, 617 Orange Center Road, Orange, Connecticut.

Oscar Parente, Esq., Chairman
Judy Smith, Vice-Chairman
Kevin Cornell, Esq., P.E.,
Tom Torrenti, P.E.

Jack Demirjian, Zoning Enforcement Officer
Tamara Trantales, Administrative Assistant
Robin Gengaro, Recording Stenographer

Judy Smith
TOWN CLERK

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Chairman Parente welcomed everyone to the meeting. He asked those seated at the table to introduce themselves for the record. Chairman Parente noted that Commissioner Kaplan is ill this evening and unable to attend tonight's meeting.

Chairman Parente extended condolences to Commissioner Smith regarding the passing of her father, Walter "Bud" Smith. Chairman Parente stated that Mr. Smith was a wonderful man, and he will be missed.

Review of the Minutes from the January 4, 2022 meeting.

A motion was made by Judy Smith and seconded by Tom Torrenti to accept and approve the Minutes of the January 4, 2022 meeting, as written. The motion carried with the vote recorded as follows: Smith, aye; Torrenti, aye; Cornell, aye; Parente, abstain. The vote was recorded as 3-0-1 to accept and approve the motion.

There were no additional comments.

Old Business

Chairman Parente asked Zoning Enforcement Officer Jack Demirjian if he has heard when Firelite will begin their project. ZEO Demirjian stated that he has not. He noted that he will update the commission at the next meeting.

There were no additional comments.

New Business - To consider and act on scheduling a public hearing to amend sections 383-33, 383-41 (d), 383-42 (f), 383-49 (d), 383-50 (g), and 383-143.4 of the Orange Zoning Regulations to conform to PA 21-2, section 182 regarding outdoor dining.

Zoning Enforcement Officer Jack Demirjian stated that this new law is directly related to outdoor dining. This law goes into effect on April 1, 2022. The commission will look to amend the zoning regulations to fit these new laws.

ZEO Demirjian stated that a Site Plan would still be needed for construction. A Special Permit is no longer required. Discussion ensued. It was noted that Health, Safety and Welfare are still very important and must be considered. Discussion continued.

Commissioner Cornell stated that he was reviewing the supermarket expansion. He noted that the site plan has significant truck and tractor trailer movements on the plan. Commissioner Cornell wondered if it requires a text change to require the applicant to show truck movements on the site plan, especially for fire trucks. Perhaps ZEO Demirjian and the Town Engineer could inform the applicant. Discussion ensued. Commissioner Cornell noted that he sees a need for it when a loading dock is needed. Discussion continued.

There were no additional comments.

Report of the Zoning Enforcement Officer

Zoning Enforcement Officer Jack Demirjian stated that the South Central Council of Governments is requesting a representative from this commission. It was noted that Commissioner Paul Kaplan was the previous representative. ZEO Demirjian stated that all their meetings are currently remote. Chairman Parente instructed ZEO Demirjian to place this item on the next agenda.

ZEO Demirjian met with the Regional Planning Commission & members of RKG out of Boston, regarding affordable housing. After a brief discussion, ZEO Demirjian stated that based on the housing survey from last year, Orange is deficient. They will give us a condensed version of where our municipality stands. ZEO Demirjian stated that he would distribute it when he has it. Discussion ensued.

Commissioner Cornell stated that he understands the data gathering. He expressed his belief that it would be beneficial to craft a plan in which the commissioners have input. Chairman Parente noted that gathering the information would be similar to how the commission gained input for the Plan of Conversation and Development (POCD). The Commission had a Planning Consultant who worked with the Commission. Discussion continued. Commissioner Torrenti expressed his belief that they will present us with goals. Discussion continued.

ZEO Demirjian stated that this information is due on June 1, 2022, and every five (5) years after that. Discussion continued. Chairman Parente stated that this must be done to comply with state law. Commissioner Cornell expressed his belief that the commission should engage someone to tailor the commission's thoughts.

After a brief discussion, there were no additional comments.

PUBLIC HEARINGS: 7:00 p.m. – (1)

SPECIAL PERMIT APPLICATION- Submitted by Vanessa Santiago. For property known as 501 Boston Post Road. To install a food take-out establishment in the C-2 District under Section 383-50 (F) of the Orange Zoning Regulations.

(Continued from the 1/4/22 TPZC Meeting)

Vanessa Santiago, owner of SweetNess Bites, explained that she wants to open a dessert shop in Orange. The business would be take-out only.

Commissioner Cornell stated that this application presents a conundrum. He explained that regulating food takeout service was not clearly written in the regulations. A lengthy

discussion ensued. Commissioner Cornell stated that the commission wants to encourage the applicant's investment in her business. He noted that the commission should update the language in the regulations to deal with future occurrences.

ZEO Demirjian stated that this use should be permitted as of right. It was noted that since the pandemic, ordering food to takeout is happening much more often. A brief discussion ensued.

Chairman Parente stated that the commission should review these regulations in the future. He stated that if the commission approves this application, it will set a precedent. Discussion ensued. In this case, she would be denied, or she could withdraw. If she applies under retail, the application could be approved administratively. It was noted that the commission wants to encourage businesses in town. ZEO Demirjian agreed. A brief discussion ensued.

A motion was made by Kevin Cornell and seconded by Judy Smith to close the public hearing. The motion carried with the vote recorded as follows: Cornell, aye; Smith, aye; Torrenti, aye; Parente, aye. The vote was recorded a 4-0 to accept and approve the motion.

After a brief discussion, a motion was made by Judy Smith and seconded by Tom Torrenti to deny and reject the *SPECIAL PERMIT APPLICATION* for 501 Boston Post Road, to install a food take-out establishment in the C-2 District under Section 383-50 (F) of the Orange Zoning Regulations, based on the grounds that the zoning regulations, §383-50 (F), do not allow takeout exclusively, without seating. This application does not comply with the regulations. The motion carried with the vote recorded as follows: Smith, aye; Torrenti aye; Cornell aye; Parente, aye. The vote was recorded a 4-0 to accept and approve the motion.

A motion was made by Tom Torrenti and seconded by Judy Smith to adjourn the meeting. The motion carried with the vote recorded as follows: Torrenti, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded a 4-0 to accept and approve the motion.

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant