

ORANGE ZONING COMMISSION
MINUTES OF THE April 4, 2023 MEETING

(Unapproved Minutes)

The Town Plan and Zoning Commission held a meeting on Tuesday, April 4, 2023, at 7:00 p.m., lower level, Orange Town Hall, 617 Orange Center Road, Orange, Connecticut.

Oscar Parente, Esq., Chairman
Judy Smith, Vice-Chairman
Paul Kaplan, Esq., Secretary

Jack Demirjian, Zoning Enforcement Officer
Deborah Satonick, Temporary Recording Secretary

Chairman Parente welcomed everyone to the meeting and asked the Commissioners to introduce themselves for the record.

Review of the Meeting Minutes from the March 21, 2023

The Commission members reviewed the minutes and no corrections were required.

A motion was made by Commissioner Kaplan and seconded by Commissioner Smith to accept and approve the minutes from the March 21, 2023 meeting. The motion carried with the vote recorded as follows: Smith, aye; Kaplan, aye; and Parente, aye. The vote was recorded as 3-0 to accept and approve the motion.

Old Business

Mr. Demirjian reported that the new language for the renewable energy structures will be on an upcoming Agenda within the next few weeks. He gave a brief update of both the Firelite and Smith Farm construction as well as the medical building at 235 Bost Post Road. Everything is moving forward as planned.

New Business

There was no new business at this time.

Report of the Zoning Enforcement Officer

Mr. Demirjian advised that he was on vacation for a few days and is now catching up on work. As the weather is becoming nicer, he is expecting more applications for pools, additions, and decks.

PETITION TO AMEND THE ORANGE ZONING REGULATIONS – Submitted by OSJ of Orange Post, LLC. To amend Section 383-121 C of the Orange Zoning Regulations to permit additional outdoor display and storage outside retail stores in the C-1 and C-2 zones.

Commissioner Kaplan read the legal notice in its entirety into the record.

ORANGE TOWN
CLERK'S OFFICE
2023 APR -6 PM 2:01
DEBORAH SATONICK

Attorney Meghan Miles, from Carmody, Torrance, Sandak & Hennessey LLC, at 195 Church Street, New Haven, spoke on behalf of the applicant. The building being discussed is located at 53 Boston Post Road in Orange and currently has two tenants, PetSmart and Ocean State Job Lot, who took occupancy when Best Buy moved out. This is a C-2 zone.

Attorney Miles explained that the request before the Commission members is to make a text amendment in Section 383-121 C to allow additional outdoor display and storage for retail stores in the C-1 and C-2 zones. Attorney Miles proceeded to explain the zoning regulations as they currently stand today. Retail stores with over 75,000 sq. ft. are allowed 3,500 sq. ft. of outdoor display/storage with Special Permit approval. Stores under 75,000 sq. ft. are allowed 10 sq. ft. of outdoor display/storage, again with Special Permit approval.

Attorney Miles is requesting to modify the regulations to allow businesses 40,000-75,000 sq. ft. in size an additional 185 sq. feet on the sidewalk for seasonal displays such as flowers and holiday items, such as Xmas wreaths. The intention is also to allow multi-tenant shopping plazas a total outdoor display area not to exceed 26 sq. ft. on sidewalks and 50 sq. ft. in parking areas. Six feet of pedestrian walkway would remain the same for safe circulation.

Photographs were included with the application to show how such displays would look at Ocean State Job Lot. If the language is modified, Attorney Miles would come back with a site plan for approval. Commissioner Smith advised that this language modification would be town wide and suggested that the Commission consider how this change to the zoning amendment would impact other stores. Commissioner Kaplan agreed with Commissioner's Smith suggestion.

Chairman Parente noted that the overall current language regulating outdoor displays and storage is ambiguous and poorly drafted. He feels that the language should be "cleaned up" for better clarification. Outdoor displays in parking areas were also discussed, which are typically tent sale displays. Attorney Miles noted that Ocean State Job Lot is approximately 45,000 sq. ft. and suggested that landlords could allocate various display rights in their lease for multi-tenant buildings.

Commissioner Smith noted that two Commission members are absent and suggested that they wait two weeks until their next meeting to take a vote. She added that there are two separate issues to address: The petition on behalf of Ocean State Job Lot and the poorly drafted language in the zoning regulations regarding outdoor displays and storage. She suggested that they be handled separately and the Commission members agreed.

Adjournment

Commissioner Kaplan made a motion to adjourn the meeting at 8:00 p.m., seconded by Commissioner Smith. The motion carried with the vote recorded as follows: Smith, aye; Kaplan, aye; and Parente, aye. The vote was recorded as 3-0 to accept and approve the motion.

Respectfully submitted,

Deborah Satonick,
Temporary Recording Secretary