

ORANGE ZONING COMMISSION
MINUTES OF THE MAY 16, 2023 MEETING

(Unapproved Minutes)

The Town Plan and Zoning Commission held a meeting on Tuesday, May 16, 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
 Thomas Torrenti, P.E.
 Kevin Cornell, Esq., P.E.

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

Chairman Parente called the meeting to order and asked the Commissioners to introduce themselves for the record.

Review of the Meeting Minutes from the April 18, 2023

The Commission members reviewed the minutes and made one grammar correction.

A motion was made by Commissioner Kaplan and seconded by Commissioner Smith to accept and approve the minutes from the April 18, 2023 meeting. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; and Smith, aye; Cornell, aye. Commissioner Parente abstained. The vote was recorded as 4-0-1 to accept and approve the motion.

Old Business

Commissioner Parente would like to review in greater detail the language regarding outdoor displays and storage and he suggested that it be added to the Agenda for their next meeting.

New Business

Mr. Demirjian reported good reviews on Vero, the new housing development. He also gave a brief update on the status of the new medical building on the Boston Post Road and the housing developments on Smith Farms and Racebrook.

Report of the Zoning Enforcement Officer

Mr. Demirjian had nothing additional to add at this time.

PUBLIC HEARINGS: 7:00 p.m.

Commissioner Kaplan read the legal notice in its entirety.

APPLICATION FOR SPECIAL EXEMPTION, PERMIT OR USE – Submitted by OSJ of Orange Post, LLC. For property known as 53 Boston Post Road. To permit an outdoor display/storage area.

ORANGE ZONING COMMISSION
 TOWN ENGINEERING OFFICE
 2023 MAY 22 PM 12:00

Attorney Miles, from Carmody, Torrance, Sandak & Hennessey LLC, located at 195 Church Street, New Haven, spoke on behalf of the applicant. She gave a brief review of the application. 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 ownership and occupancy of the property when Best Buy moved out. This is a C-2 zone and a six-acre parcel of land.

Attorney Miles explained that the request before the Commission members is to allow 185 square feet of outside seasonal display in addition to 26 square feet of outdoor propane with Special Permit. Attorney Miles submitted a revised plan with a minor modification to accommodate a request from the Fire Marshall. Approval of this request will have no impact on traffic, the pedestrian walkway, or the water supply. Attorney Miles explained that the seasonal displays will consist of flowers, pumpkins, holiday decorations, and landscaping supplies.

Commission Kaplan made a motion to close the Public Hearing portion of the meeting, seconded by Commissioner Torrenti. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; and Smith, aye; Cornell, aye; and Parente, aye. The vote was recorded as 5-0-0 to accept and approve the motion.

Commissioner Kaplan thought that the site plan was well thought out with protection around the propane tanks. Vice Chairman Smith noted that this application is consistent with the Plan of Conservation and Development (POCD) and supports our business and retail sector.

Commissioner Smith made a motion to approve the application as presented for Special Exemption, Permit or Use by OSJ of Orange Post, LLC, for property known as 53 Boston Post Road, to permit an outdoor display/storage area. Commissioner Kaplan seconded the motion. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; and Smith, aye; Cornell, aye; and Parente, aye. The vote was recorded as 5-0-0 to accept and approve the motion.

APPLICATION FOR SITE PLAN REVIEW – Submitted by ABF Freight System, Inc. For property known as 62 Carlson Road. To improve the current developed site to operate a trucking business. An APPLICATION FOR TEMPORARY SPECIAL USE – EARTH MATERIALS REMOVAL & FILLING has been submitted in conjunction with this application.

Mr. Brian Baker, from Civil 1, Inc., presented the application on behalf of the property owner, ABF Freight Systems Inc. His client has moved from leasing 56 Carlson Road to purchasing 62 Carlson Road. There will be considerable site improvements at this new location that include the plantings of evergreen trees as a buffer, storm water maintenance for the catch basins, lighting, and office and building upgrades.

There are two applications presented on behalf of ABF Freight System, Inc. The second application is to remove earth materials and provide proper fill to prevent erosion issues. Six existing bays will be removed, leaving a total of 36 bays.

Ms. Diane Allard, Operations Manager, took questions from the Commission members. As the property abuts residential properties, there was concern regarding the expected noise level and

the times of activity at the site location. It was determined that the business will have minimal disturbance to the residential areas surrounding it.

Commissioner Kaplan made a motion to close the Public Hearing portion of the meeting, seconded by Commission Smith. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; and Smith, aye; Cornell, aye; and Parente, aye. The vote was recorded as 5-0-0 to accept and approve the motion.

The Commission members felt that this applicant will repurpose the building for a proper use and that he will bring marked improvements to the site.

Mr. Kaplan made a motion to approve the application for site plan review with conditions submitted by ABF Freight System, Inc. for property known as 62 Carlson Road to operate a trucking business. A second application for temporary Special Use -Earth materials removal and filling, has been included in this motion. Commissioner Torrenti seconded the motion and the motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; and Smith, aye; Cornell, aye; and Parente aye. The vote was recorded as 5-0-0 to accept and approve the motion.

PETITION TO AMEND THE ORANGE ZONING REGULATIONS – Submitted upon the initiative of the Orange Plan and Zoning Commission. To amend Section 383-26 of the Orange Zoning Regulations to regulate solar and other renewable energy structures in the residential zone.

The Commission discussed their intended purpose with this new language. Renewable solar structures will be considered as accessory structures that can be ground mounted in the rear of residential properties.

Mr. George Ekman, 365 Demarest Drive, spoke on the liability issues of these solar panels in reference to the Town of Orange. While these structures can last 25-30 years, decommissioning costs are the responsibility of the owner. If the owner fails to take responsibility, the town can become liable. He added that he personally thinks that solar panels are unattractive and would not like to live next door to someone who had one.

Commissioner Kaplan made a motion to close the Public Hearing portion of the meeting, seconded by Commission Smith. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; and Smith, aye; Cornell, aye; and Parente, aye. The vote was recorded as 5-0-0 to accept and approve the motion.

Commission Kaplan is comfortable with the revised language regarding renewable solar structures.

Commissioner Kaplan made a motion to approve the revised language as presented for Section 383-26 Section I2 and Section I6 with an effective date of 5/23/23. Commissioner Torrenti seconded the motion. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; and Smith, aye; Cornell, aye; and Parente, aye. The vote was recorded as 5-0-0 to accept and approve the motion.

Adjournment

Commissioner Kaplan made a motion to adjourn the meeting at 8:27 p.m., seconded by Commissioner Torrenti. The motion carried with the vote recorded as follows: Kaplan, aye; Torrenti, aye; and Smith, aye; Cornell, aye; and Parente, aye. The vote was recorded as 5-0-0 to accept and approve the motion.

Respectfully submitted,
Deborah Satonick,
Temporary Recording Secretary