

ORANGE ZONING COMMISSION
MINUTES OF THE MAY 18, 2021 MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, May 18, 2021, at 7:00 p.m., a Zoom Internet meeting. The following members were in attendance:

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

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

Vice-Chairman Smith welcomed everyone to the meeting. She stated that she would be presiding over this meeting in the absence of Chairman Oscar Parente. She noted that Commissioner Kaplan is not in attendance tonight due to a death in his family. Vice-Chairman Smith introduced those in attendance.

Review of the Minutes from the May 4, 2021 meeting.

A motion was made by Kevin Cornell and seconded by Tom Torrenti to accept and approve the Minutes from the May 4, 2021 meeting, as written. The motion carried with the vote recorded as follows: Cornell, aye; Torrenti, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

There were no additional comments.

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 at the last meeting, Commissioner Kaplan inquired about the approved barn which was being constructed on Derby Milford Road. ZEO Demirjian stated that he drove there and checked on it. He stated that it appears to be constructed per the approved plans.

Vice-Chairman Smith mentioned that there are banners along Route 1 from time to time. She stated that they could be a safety hazard. ZEO Demirjian stated that he would check on them. He noted that sign enforcement was put on hold during Covid. He stated that he would address all sign violations when instructed by the Commission.

There were no additional comments.

SITE PLAN APPLICATION – Property known as 658 Ridge Road: Submitted by Robert and Tracy Bocek. To construct a 6,300 sq. ft garage/facility for recreational sporting and gaming. Vice-Chairman Smith stated that the zoning regulations require ground coverage of 10%. The Boceks are requesting 20% ground coverage. A brief discussion ensued.

Patricia O. O'Brien
TOWN CLERK

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Robert Bocek stated that he currently has a garage; this proposal would replace it. The proposal is for a sports/gaming center for Mr. Bocek's children. He stated that he has submitted a drawing of the basketball court and gymnastic area. Vice-Chairman Smith stated that the Commission would review the plans when he returns after a ZBA approval if it is granted.

A motion was made by Kevin Cornell and seconded by Tom Torrenti to deny and reject the Site Plan Application for 658 Ridge Road, to exceed the allowable ground coverage in the Residential zone. The motion carried with the vote recorded as follows: Cornell, aye; Torrenti, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

There were no additional comments.

PUBLIC HEARINGS: 7:00 p.m.

PETITION TO AMEND THE ORANGE ZONING REGULATIONS – Article §383-143.4 - Submitted by Luis Rodriguez of 510 Boston Post Road. To amend the Orange Zoning Regulations to allow cigar lounges/stores to obtain a Special Permit for outdoor seating. (Continuation from the 5/4/2021 meeting)

Vice-Chairman Smith stated that there were a few issues with the language at the last meeting, regarding distances from restaurants. Mr. Luis Rodriguez stated that he has decreased the distance from a restaurant from 500' to 300'. He noted that the distance from schools and public parks is still 1000'. Approved outdoor dining/seating would be allowed from April 1st through November 30th.

Discussion ensued regarding the occupancy percentage allowed. Restaurants are set at 10%, while cigar lounges are at 15%. Discussion continued. Mr. Rodriguez stated that his plans exceed 40 seats. He stated that he has submitted the plans to the Police, the Fire Marshal, and the Zoning Department.

Vice-Chairman Smith asked for public input. There was none.

A motion was made by Kevin Cornell and seconded by Tom Torrenti to close the public hearing. The motion carried with the vote recorded as follows: Cornell, aye; Torrenti, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

Vice-Chairman Smith stated that the Commission has provided outdoor seating for restaurants to allow patrons to dine outside. Now as statute permits, the regulation could be amended as needed. Vice-Chairman Smith noted that the Commission must make findings.

Commissioner Cornell stated that a vibrant economic base is crucial to the town's wellbeing. He noted that Mr. Rodriguez has made a reasonable request. His business will not adversely impact others. Commissioner Cornell opined that this proposal is reasonable and consistent with the Plan of Conservation and Development (POCD). Commissioner Torrenti agreed. Vice-Chairman Smith read portions of the POCD into the record. She expressed her belief that this proposal is consistent with the POCD.

A motion was made by Kevin Cornell and seconded by Tom Torrenti to accept and approve the *Petition to Amend the Orange Zoning Regulations - Article §383-143.4.*, with an Effective Date of June 8, 2021. The motion carried with the vote recorded as follows: Cornell, aye; Torrenti, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

It was noted that the applicant must reappear before the Commission with a Site Plan for the Special Use. There were no additional comments.

SPECIAL USE & SITE PLAN APPLICATION in conjunction with an ARCHITECTURAL STANDARDS SUPPLEMENT & LIGHTING SUPPLEMENT– Property known as 35 Old Tavern Road and 308 Racebrook Road located in the LSC Zoning District: *Submitted by 35 Old Tavern Road, LLC. A proposed mixed-use development including the construction of a 134,000 sq. ft, three story building with 72 dwelling units along with 226 parking spaces. An APPLICATION FOR SPECIAL PERMIT has also been submitted in accordance with section 383-175B for shared parking. (Continuation from the 5/4/2021 meeting)*

Vice-Chairman Smith stated that the Commission has asked the applicant to furnish renderings of all the buildings on the property, which they have submitted. Vice-Chairman Smith noted that since there is not a full commission this evening, the applicant has opted to wait until there is a full commission to appear. It was noted that the town must request an extension, which the applicant has granted. ZEO Demirjian stated that they have consented to a statutory extension, which allows another 65 days. He noted that the request is in writing, as well as the acceptance. ZEO Demirjian read Attorney Shansky's email granting the extension into the record.

There were no additional comments.

As there were no other items on the agenda, a motion was made by Tom Torrenti and seconded by Kevin Cornell to adjourn the meeting. The motion carried with the vote recorded as follows: Torrenti, aye; Cornell, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

The meeting was adjourned at 7:24 p.m.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant