

ORANGE ZONING COMMISSION
MINUTES OF THE JANUARY 17, 2023 MEETING

Approved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, January 17, 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
Kevin Cornell, Esq., P.E.

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

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TOWN CLERK'S OFFICE
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2023 FEB - 8 AM 9:39
M. G. O'NEILL
TOWN CLERK

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 Tom Torrenti would not be in attendance this evening.

Review of the Minutes from the January 3, 2023 meeting.

A motion was made by Paul Kaplan and seconded by Kevin Cornell to accept and approve the Minutes from the January 3, 2023 meeting, as amended. The motion carried with the vote recorded as follows: Smith, aye; Cornell, aye; Kaplan, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

There were no additional comments.

Old Business

Commissioner Cornell asked Zoning Enforcement Officer Jack Demirjian if he has received the revision to the cannabis language limiting one cannabis facility to the Town of Orange. ZEO Demirjian stated that he has not received anything from Town Attorney Vin Marino yet. ZEO Demirjian stated that he will email it to the commissioners when he receives it from Attorney Marino.

Commissioner Kaplan asked ZEO Demirjian to advise the commission if a new site plan is submitted showing the changes discussed at the last cannabis hearing. ZEO Demirjian stated that although the commission does not have the ability to alter the plan, anyone can review it. He noted that he would notify the commissioners when plans are submitted.

There were no additional comments.

New Business

None

Report of the Zoning Enforcement Officer

Zoning Enforcement Officer Jack Demirjian stated that the application for the daycare facility, which was presented at the last meeting, has been withdrawn. He noted that the applicant would most likely submit a special permit application for parking reduction.

ZEO Demirjian stated that the first session for commissioner training is Wednesday, February 1, 2023, at 7:00 p.m. in Town Hall. David Fink, Housing Policy Specialist, will be the speaker. ZEO Demirjian noted that he was out last week for his training.

Chairman Parente asked ZEO Demirjian if there is any news on the winery appeal. ZEO Demirjian stated that the lawyer has the Return of Record.

There were no additional comments.

PUBLIC HEARINGS: 7:00 p.m. – (2)

APPLICATION FOR SPECIAL PERMIT AND USE & SITE PLAN APPLICATION - Submitted by Solli Engineering, LLC. For property known as 88 Marsh Hill Road. Proposed development consists of an 8,384 s.f. Community Travel Center with drive-thru facility and a 23,000 s.f. Electric Vehicle Showroom with associated parking, landscaping, drainage, and utility improvements. (Continued from the January 3, 2022 meeting. Please note the public hearing portion of this application has been closed and no further comments will be accepted).

Chairman Parente recused himself from this application due to a conflict of interest. Vice-Chairman Smith presided over this portion of the meeting.

Vice-Chairman Smith stated that the public hearing was closed on January 3, 2023. The applicant met with the Traffic Authority on January 9, 2023. The Minutes of that meeting were provided to the commission and attached to these Minutes. The Traffic Authority denied the application. Vice-Chairman Smith noted that the Traffic Authority is an advisory committee.

ZEO Demirjian stated that due to the proximity to the offramp of I-95, DOT must review the plans and provide feedback if the commission approves the proposal. The DOT does not review a matter until an approval is received from municipal boards. A brief discussion ensued.

Commissioner Cornell stated that the denial from the Traffic Authority impacts the application. He noted that the presentation was based on the timing integration of traffic lights being in sequence so that no queuing occurs across entrances, etc. However, there appears to be traffic concerns when multiple lights are in short proximity to each other. Commissioner Smith read a portion of the Traffic Authority Minutes into the record. Discussion ensued.

ZEO Demirjian stated that if we approve the condition for a traffic light and DOT says no, our approval is invalid. Commissioner Cornell stated that when the commission was originally considering this use, with traffic and retail near the intersection, he does not recall discussion of needing a light. He thought that this proposal would be a relatively low traffic generator. Now that an application is before the commission, Commissioner Cornell stated that it is unknown whether DOT would approve a light. A brief discussion ensued. Commissioner Smith stated that the commission may be impacted by the safety commission's

unanimous vote. She noted that their recommendation is advisory, not binding. Discussion continued.

Commissioner Kaplan expressed his belief that even if this application is approved with a traffic light, our Traffic Commission has problems with it. He stated that although their decision is non-binding, they are the traffic officials. Commissioner Smith stated that they do not want to create an unsafe situation.

Commissioner Cornell stated that the travel center portion of this proposal is too intense for this location. He does not recall the peer traffic study stating concerns. Commissioner Kaplan stated that 5,000 extra cars visiting the travel center daily concerns him. He added that although he is comfortable with the use, he did not anticipate such an increase in traffic. Commissioner Smith stated that this proposal would add a lot more traffic to an already stressed road. Discussion continued.

Commissioner Kaplan stated that the Traffic Authority review determined that the present volume on this road, plus adding another 5,000 cars daily, would create a hazardous situation.

A motion was made by Paul Kaplan and seconded by Kevin Cornell to deny and reject the Application for Special Permit and Use & Site Plan Application for 88 Marsh Hill Road. The motion carried with the vote recorded as follows: Kaplan, aye; Cornell, aye; Smith, aye. The vote was recorded as 3-0 to accept and approve the motion.

There were no additional comments.

Chairman Parente returned to the meeting. Commissioner Kaplan read the legal notice into the record.

APPLICATION FOR SPECIAL EXCEPTION, PERMIT OR USE – Submitted by Joseph Perrone. For property known as 967 Old Coach Road. To construct a 1,410 square foot garage for additional storage.

Joseph Perrone, 967 Old Coach Road, stated that he is proposing to construct a garage with an overhang to create a covered patio. He noted that it falls within the setbacks. The exception is due to the square footage and height.

Mr. Perrone displayed a rendering of the proposal. Commissioner Kaplan inquired if the garage would have electricity. Mr. Perrone replied affirmatively. Mr. Perrone stated that he does not have any plans to add a bathroom. A brief discussion ensued regarding concerns that the space could be used for occupancy, if not by the applicant, then possibly by the next user. Chairman Parente noted that only one residential dwelling is allowed per lot. ZEO Demirjian stated that typically, the sign of occupancy is if a cooking facility is present.

Commissioner Smith asked Mr. Perrone if there is ample buffering. Mr. Perrone replied affirmatively. He explained that he lives on a dead-end street and does not believe that it would be visible to other houses. ZEO Demirjian stated that it meets the coverage requirements of the regulations. He further stated that the applicant would need to submit a

zoning compliance form so the Building Inspector, Sanitarian and himself could review the plan prior to construction. A brief discussion ensued.

Commissioner Kaplan stated that the plan seems reasonable; the size is not overwhelming. Chairman Parente stated that it is a private lot and neighbors would not be able to see the addition from the street. Commissioner Cornell noted that the addition is in scale with the house. Discussion ensued.

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

A motion was made by Paul Kaplan and seconded by Judy Smith to accept and approve the Application for Special Permit Exception, Permit or Use, for 967 Old Coach Road, subject to the condition that there would not be any septic usage. The motion carried with the vote recorded as follows: Kaplan, aye; Smith, aye; Cornell, aye; Parente, aye. The vote was recorded as 4-0 to accept and approve the motion.

There were no additional comments.

Adjournment

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

The meeting was adjourned at 8:02 p.m.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant