

ORANGE ZONING COMMISSION
MINUTES OF THE JANUARY 21, 2020 MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, January 21, 2020, at 7:00 p.m., Town Hall, 617 Orange Center Road. The following members attended:

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

Paul Dinice, Zoning Officer
Tamara Trantales, Administrative Assistant

Chairman Parente welcomed everyone to the meeting. He asked those seated at the table to introduce themselves for the record.

Review of the Minutes from the January 7, 2020 meeting.

A motion was made by Paul Kaplan and seconded by Judy Smith to accept and approve the Minutes from the January 7, 2020 meeting, as amended. 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.

Chairman Parente reflected on the recent passing of Fire Marshal Tim Smith, an Orange native. Chairman Parente stated that FM Smith was a nice guy, very knowledgeable and eager to help when called upon. Commissioner Kaplan added that FM Smith's passing is a great loss to the community. Chairman Parente asked for a moment of silence.

Chairman Parente stated that there was a brief vacancy in the commission when Ralph Aschettino moved out of town and resigned from the commission. Chairman Parente stated that Tom Torrenti has been appointed to replace him. Mr. Torrenti, a structural engineer, has been sworn in. He will attend the next TPZC meeting. It was noted that Mr. Torrenti would be a nice addition to the commission.

A brief discussion ensued regarding Air b & b's. Zoning Enforcement Officer Paul Dinice stated that he is aware of five of them in town. He stated that he would present information at the next meeting.

There were no further 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.

ZEO Paul Dinice stated that the project at 191 Indian River Road, the facility for Memory Care, Assisted Living and Independent Living, is being overseen by Assistant Zoning Officer/ Wetlands Officer Jack Demirjian. Assistant ZEO Demirjian inspects the property frequently.

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There were no further comments.

Chairman Parente stated that he has a conflict of interest with the 131 Boston Post Road property. He recused himself from participating in all discussion and possible voting on this proposal. Vice-Chairman Smith presided over the meeting at this time.

Vice-Chairman Smith stated that she has some questions regarding the Cease & Desist Order issued to the property owner, Ken Thomas. Mr. Thomas had 30 days to comply. Vice-Chairman Smith listed seven items which needed to be completed. It was noted that the Building Inspector is not satisfied. Revised plans have been submitted. Discussion ensued.

ZEO Dinice stated that there needs to be more Sedimentation & Erosion controls. The plan shows remediation of some violations but there is still some fill that has spilled onto an adjacent property. ZEO Dinice stated that manifests have been submitted. New materials have been deposited on the property within the last few days. A brief discussion ensued. ZEO Dinice stated that a \$5,000 cash bond has been posted; the remainder has not been addressed. He stated that the balance of the bond could be posted in the form of a Letter of Credit or a Performance Bond. ZEO Dinice stated that the \$5,000 cash bond will not cover the remaining site work.

Vice-Chairman Smith stated that the commission has made site visits in the past. ZEO Dinice recommended they go alone so that an agenda would not have to be filed. Discussion ensued. ZEO Dinice stated that information for this property was submitted piecemeal. He noted that there are still outstanding violations. Discussion continued. The rear of the property was not completed in accordance with the approved plan. It is a sheer cliff with spillage onto the adjacent property. Mr. Thomas stated that there are pins at the corners of the property. Vice-Chairman Smith stated that the site visits would occur within the next two weeks. The applicant will be notified prior to any site inspections.

There were no further comments. Chairman Parente returned to the TPZC to preside over the remaining meeting agenda.

SITE PLAN APPLICATION. For property known as 653-663 Orange Center Road. Submitted by S.D. Woodruff & Sons, LLC. The proposal is to locate a "Smoothie" drink bar in space that was previously retail (740 sq. ft.). There are no proposed site changes. Brian Daddona, representative of S.D. Woodruff & Sons, stated that this application is for a smoothie/juice type of business. The space was formerly a dentist's office. Mr. Daddona stated that there would be interior modifications to the space. They have current building permits.

Mr. Daddona noted that there are two locations in Milford, which are successful. He believes that this space will work well. He noted that the space faces road frontage.

Chairman Parente stated that he doesn't see a floor plan which shows the location of tables, counters, etc. Mr. Daddona stated that he wanted to see what the Health Department required prior to submitting that information.

Commissioner Smith stated that this is a permitted use. A zone change is not needed. However, seating is required. Mr. Daddona stated that there would be seating options. Drinks would be served in to-go cups. Patrons have the option to stay and enjoy their drink or to take it with them.

Chairman Parente read a portion of the regulations into the record. He expressed his opinion that this section of the regulations describes restaurants. He noted that food take-out is allowed with a special use permit. A brief discussion ensued. Chairman Parente stated that traffic must be considered. Commissioner Cornell noted that this use would generate more traffic than a dentist office. Chairman Parente added that it is necessary to follow the correct procedure. Discussion continued.

Commissioner Smith inquired what the hours of operation would be. Mr. Daddona replied that he is not certain yet. It was noted that this application would be heard at the second meeting in February.

Chairman Parente read another portion of regulations into the record. A discussion regarding parking ensued.

There were no further comments.

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 7:45 p.m.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant