

ORANGE ZONING COMMISSION
MINUTES OF THE AUGUST 17, 2021, MEETING

Unapproved Minutes

The Town Plan and Zoning Commission held a meeting on Tuesday, August 17, 2021, 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
Tamara Trantales, Administrative Assistant

Chairman Parente welcomed everyone to the meeting. He stated that Commissioners Torrenti and Cornell were not able to attend this meeting tonight due to prior engagements.

Review of the Minutes of August 3, 2021, meeting.

A motion was made by Paul Kaplan and seconded by Oscar Parente to accept and approve the Minutes from the August 3, 2021, meeting as written. The motion carried with the vote recorded as follows: Kaplan, aye; Parente, aye, Smith, abstain. The vote was recorded as 2-0-1 to accept and approve the motion.

There were no additional comments.

Old Business – Discussion of Short-Term Rental regulation.

After a brief discussion and summary of comments from the last TPZ meeting regarding Airbnbs, Chairman Parente stated that Airbnbs are not currently problematic in Orange. It was decided that no action is necessary now.

There were no additional comments.

New Business – Discussion of Recreational Marijuana sales in Orange.

Chairman Parente stated that the Orange zoning regulations allow the TPZ to prohibit or restrict the sale/use of recreational marijuana in Orange. Also, the commissioners could establish the proximity of use. A lengthy discussion ensued regarding the direction the commission would like to take. It was noted that the commissioners present would like further discussion when all commission members are in attendance, hopefully at the next meeting.

Chairman Parente stated that if the commission decides to prohibit or restrict recreational marijuana sales and use in Orange, the matter needs to be sent to a public hearing. A brief discussion ensued. Commissioner Smith noted that the commission needs to take a stand on this matter to send it to a public hearing. The options are to prohibit all recreational marijuana sales and use; to establish reasonable restrictions; and to establish the proximity of use.

Commissioner Smith stated there is a 3% surtax in addition to the state's tax. Chairman Parente commented that although the commission doesn't usually consider that, he doesn't believe it would adversely affect commercial districts. A brief discussion ensued.

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Commissioner Kaplan commented that since the recreational use of marijuana is legal in CT, and Orange could benefit financially from it, perhaps it should be regulated. Discussion ensued. It was noted that recreational marijuana could be regulated similar to liquor.

Chairman Parente stated that this amendment to the regulations would be by the commission's initiative. ZEO Demirjian stated that he would draft a legal notice. He noted that the Regional Councils of Government would need to be contacted for their input prior to the public hearing. The public hearing would be to consider the proposed amendment of marijuana sales/use to our regulations. It was noted that the sales of marijuana could be construed as retail. Discussion ensued.

ZEO Demirjian stated that if the zoning office receives an application, for an existing retail space, the application would not necessarily appear before zoning. Chairman Parente stated if that occurs, the commission will not have an opportunity to discuss traffic. The commission expressed a sense of urgency to hold the public hearing to amend the zoning regulations to restrict recreational marijuana in Orange.

Mitch Goldblatt, 291 Drummond Road, stated that at the last Board of Selectman meeting, there was discussion concerning the recreational use of cannabis on public spaces and outdoor restaurants.

Mr. Goldblatt suggested having a public meeting to gain input from residents. Discussion ensued. Attorney Marino has drafted regulations to outlaw use outdoors. Mr. Goldblatt noted that Orange allows liquor stores, gun shops, pharmacies, smoke shops, etc., in town. He commented that 3% of sales, retail use, could be significant revenue. Discussion ensued. Mr. Goldblatt noted that if West Haven and Milford allow recreational marijuana use in their towns, he believes it would benefit Orange as well.

Chairman Parente stated that he believes the consensus of the three commission members present is that they are not interested in prohibiting the recreational use of marijuana. They would like to impose certain restrictions on the sale and use of recreational marijuana. Chairman Parente suggested that Town Attorney Vin Marino draft a reasonable regulation of recreational use. ZEO Demirjian stated that he would contact Attorney Marino tomorrow.

There were no additional comments.

Report of the Zoning Enforcement Officer

ZEO Demirjian stated that the zoning office has received calls regarding commercial activity in the residential zone. Currently, the regulations state that vehicles with combination plates are only allowed to be on the homeowner's property covered or stored in a garage. ZEO Demirjian stated that it appears that these regulations have not been amended since they were written.

ZEO Demirjian stated that almost every pickup truck has a combination plate. He expressed his belief that this regulation does not discern between a pickup truck for commercial activity or for personal use. Chairman Parente read a portion of the regulations into the record. Discussion ensued. Chairman Parente clarified that if it is a commercial vehicle, it must be covered. ZEO Demirjian stated that the regulation seems too restrictive as it stands. He

added that it is unreasonable to assume that every pickup truck in town should be garaged. After a brief discussion, ZEO Demirjian stated that he would bring a draft of the amendment to discuss at the next meeting.

There were no additional comments.

A motion was made by Paul Kaplan and seconded by Judy Smith to adjourn the meeting. The motion carried with the vote recorded as follows: Kaplan, aye; Smith, aye; Parente, aye. The vote was recorded as 3-0 to accept and approve the motion.

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant