To: Regional Planning Commission  
From: Eugene Livshits, Senior Regional Planner  
Subject: Thursday, March 11, 2021 RPC Meeting at 5:15pm

NOTICE: As permitted by Governor Lamont’s Executive Order 7B, as extended by Executive Order 9L, regarding the COVID-19 Pandemic, this meeting is being held remotely with no in-person attendance

AGENDA - ZOOM MEETING

link to join at the time of the meeting: https://us02web.zoom.us/j/89437106283  
Call-in Number: 1-929-205-6099  
Meeting ID: 894 3710 6283

1. Administration

1.1. Minutes of the February 11, 2021 RPC Meeting

2. Action Items


3. Other Business

The agenda and attachments for this meeting are available on our website at www.scrCog.org. Please contact SCRCOG at (203) 234-7555 for a copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week’s notice.

MEETING MINUTES

To: Regional Planning Commission
From: Eugene Livshits, Senior Regional Planner
Subject: Minutes for Thursday, February 11, 2021 Meeting

Present: Bob Harrison, Charles Andres, Kevin Curry, Tricia Mase, Theresa Ranciato-Viele, Jeffrey Kohan, Andrew Skolnick

As permitted by Governor Lamont’s Executive Orders, regarding the COVID-19 Pandemic, the meeting was held remotely with no in-person attendance

1 Administration

1.1 Minutes of the December 10, 2020 RPC meeting.

Motion to accept the minutes as presented: Kevin Curry. Second: Andrew Skolnick. Vote: Unanimous.

2 Statutory Referrals

2.1 Resilient CT Program Update:

Joanna Wozniak Brown, PhD, Assistant Director for Resilience Planning, CIRCA provided an update on the Resilient CT project.

The project is led by CIRCA, in coordination with state agencies, regional councils of governments (COGs) and municipalities to provide a regional and watershed focused Climate Adaptation Planning Framework. The project area consists of regions and municipalities in New Haven and Fairfield Counties impacted by Hurricane Sandy, and will include both coastal and riverine climate vulnerability assessments.

The update included information on the Project Milestones, specifically the completion of the four Regional Workshops, which focused on the Climate Change Vulnerability Index and the Zone Shared Risk.

2.2 Town of Orange: Proposed Zoning Regulation Amendment to delete Article XXIV – TODD District. Proposed Zoning Map Amendment to rezone parcel from TODD to LI-2 or LI-4

The RPC Review focused on the Zoning Map Amendment, as the Article XXIV was proposed to be deleted.

By resolution, the RPC has determined that the proposed zoning map amendment does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region nor do there appear to be any impacts to the habitat or ecosystem of the Long Island Sound.


2.3 Election of Officers and Executive Committee Members:

Chairman: Jeffrey Kohan
Vice Chairman: Charles Andres
Secretary: Kevin Curry
Executive Committee:

Jeffrey Kohan  
Charles Andres  
Kevin Curry  
Elias Estabrook  
Andrew Skolnick  
Bob Harrison  
Tricia Mase

Motion to accept slate of Officers and Executive Committee Members: Kevin Curry.  
Second: Theresa Ranciato-Viele.  Vote: Unanimous

3 Other Business

Motion to Adjourn:  Kevin Curry.  Second: Sal Brancati.  Vote: Unanimous.
February 10, 2021
CERTIFIED MAIL
camento@scrcog.org

Mr. Carl Amento, Executive Director
Council of Governments
127 Washington Avenue
4th Floor - West
North Haven, CT 06473-1715

PETITION TO AMEND THE ORANGE ZONING REGULATIONS—
Article I §383-14, Article VIII §383-66, Article XIV §383-141 & §383-143.4 and Article XVIII §383-174

-Submitted by Noble Energy Real Estate Holdings, LLC

To amend the Orange Zoning Regulations to define and allow “Electric Vehicle Showrooms” and “Community Travel Centers” as special uses in the LI-2 District, along with parameters for location and eligibility of these new uses.

Dear Mr. Amento:

In accordance with the Connecticut General Statutes, enclosed for your review is the above referenced Petition. The tentative Public Hearing date on these Petitions is March 16, 2021. A Copy of the Existing Regulation & Proposed Amendment is attached. An electronic copy with attachments was also sent to you.

If you have any questions, please contact me at 203-891-4746.

Very truly yours,

Jack Demirjian,
Zoning Administrator
& Enforcement Officer

closures
cc: TPZC Members
    V. Marino, Esq.
    J. Zeoli, First Selectman
LIGHT INDUSTRIAL DISTRICT #2 REGULATION AMENDMENTS

ATTACHMENT TO PETITION TO AMEND ZONING REGULATIONS

CHAPTER 383

ZONING REGULATIONS SECTIONS:

Article I §383-14, Article VIII §383-66, Article XIV §383-141 & §383-143.4
and Article XVIII §383-174

From the

CODE

of the

TOWN OF ORANGE

As adopted August 25, 1971
Amended through June 21, 2020

February 9, 2021

APPLICANT:

Noble Energy Real Estate Holdings LLC
131 Buckingham Street, Suite 301
Hartford, CT 06106
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NARRATIVE OF PROPOSED REGULATION AMENDMENTS

The proposed revisions to Sections §383-14, §383-66, §383-141, §383-143.4 and §383-174 are submitted to amend the Light Industrial District #2 (LI-2). The amendment to the LI-2 regulation is proposed to address the changing nature of transportation and the need for complimentary development that provides both electric vehicle (EV) charging and traditional gasoline fueling uses. Public EV charging station are a crucial component in facilitating the transition to vehicles with alternative fuel types. The proposed EV showroom will provide more options for consumers to make the switch over to electric cars. It is envisioned that the state of Connecticut will develop a plan to reduce carbon emissions and encourage electric vehicle sales in the near future, following our neighbors in New York and Massachusetts. The State of New York is planning to reduce overall statewide carbon emissions 85 percent by 2050. In Massachusetts, by 2035 all new cars sold will need to be electric.

While the State of Connecticut does not currently permit the direct sale of electric vehicles by manufactures to consumers, incorporating sales into the EV showroom could set the stage for when the state law changes. It is only a matter of time until Connecticut follows suit with New York and Massachusetts, and the proposed EV showroom would establish the infrastructure to allow the state to achieve future climate change goals.

The proposed revision to §383-14, will create definitions for two new uses, Electric Vehicle Showroom and Community Travel Center, to be proposed as special uses in the LI-2 District.

Under "Article VIII Special Districts" two new special uses will be established as part of section §383-66, which will define location and eligibility requirements. It should be noted that the proposed amendments to allow for these special uses would pertain only to parcels that have frontage on both Interstate 95 and Marsh Hill Road and would require a special use approval by the Orange Plan & Zoning Commission.

Community Travel Centers in the LI-2 District have been added to §383-141, for the purpose of applying all existing special standards for drive-through service windows and ATM’s to the proposed use.

Given the increase in demand for outdoor dining and seating due to COVID, the proposed amendment to §383-143.4, would allow approved outdoor dining/seating year-round to replace the existing timeframe of April 1 through November 15. In addition, to these amendments a provision for the number of required parking spaces for the proposed uses has been added to §383-174.

The proposed amendments will provide an opportunity for mixed-use development in the LI-2 District in a key gateway location adjacent to I-95, by allowing a combination of complimentary commercial travel uses and would provide an incentive for infill re-development. The incorporation of an EV Showroom use and Community Travel Center use is designed to usher the future of transportation to Orange and enable the potential for development of a plaza providing, retail food/beverage and outdoor gathering/dining areas with site amenities to enhance the overall character of the community.

A review of the 2015 Plan of Conservation and Development (POCD) for the Town of Orange indicates that there is a strong desire to promote sustainability. It is also stated that Orange will continue to encourage well-planned development in "economic areas" and promote a vibrant economic base. Providing these additional uses would encourage opportunities for more sustainable travel opportunities in the local community and facilitate the innovative development of a gateway property along I-95. The proposal conforms to the economic development goals of the POCD as described below.
CONFORMITY WITH 2015 PLAN OF CONSERVATION & DEVELOPMENT

This amendment is consistent with the 2015 Orange Plan of Conservation and Development for several reasons, including:

- The Plan of Conservation and Development (POCD) identifies Conservation Strategies including Sustainability and Resiliency. It is stated in the overview of this section that “If we are to enhance the character and quality of life for present and future generations, being a sustainable and resilient community – able to adapt to possible future changes – may be especially important.” The Town will also “consider preparing and implementing a sustainability plan.” The key issues considered as part of the plan would include the following: “Identifying ways to involve the community in implementing energy conservation practices.” and “Initiating transition to renewable energy for town vehicles (natural gas, electric, biofuels, and hybrids).” Establishment of an EV Showroom use that would include charging and service for EV’s would create the opportunity to implement this plan, by showcasing electric vehicles and providing a convenient local support hub for charging and maintenance.

- Development Strategies - Community Structure & Business & Economic Development: The southern parts of Orange are considered an “economic area” while the northern part is considered a “living area”. The POCD states that “It is the intention of the Plan that this overall philosophy and structure be continued”. As part of the strategy to continue to promote business development “Orange will continue to promote a vibrant economic base and continue to encourage well-planned development in the “economic area.” The proposed amendment to the LI-2 District would allow new types of development in this existing “economic area”. The proposed new uses would allow for a mixed-use landmark development adjacent to I-95 that could serve as a gateway to Orange. The outdoor dining and amenities associated with these uses would help provide a gathering place contributing to the overall character of Orange.
DRAFT ZONING REGULATIONS TEXT AMENDMENTS
TO MODIFY THE LIGHT INDUSTRIAL DISTRICT #2

The following Town of Orange Plan and Zoning Commission Zoning Text Amendments are proposed to modify the Light Industrial District #2.

KEY TO PROPOSED AMENDMENT TEXT:

Proposed text to be inserted is shown as **bold double underlined text**
Proposed text to be eliminated (deleted) is shown as **strike-through text**

____________________

**AMEND existing §383-14 as follows:**

____________________

§383-14 Definitions.

A. General: The paragraphs which follow define and explain certain words used in these Regulations. Other words used in these Regulations shall have the meaning commonly attributed to them. Doubts as to the precise meaning of words in these Regulations shall be determined by giving due consideration to the expressed purpose and intent of these Regulations.

B. As used in this chapter, the following terms shall have the meanings indicated:

...  

**Electric Vehicle Showroom**

An establishment providing for the display and/or sale of Electric Vehicles (EV) of one or more manufacturers. An EV showroom may also provide charging stations, service and maintenance for electric vehicles and indoor and outdoor display of electric vehicles and shall not include inventory or storage of vehicles for sale.

...  

**Community Travel Center**

A retail establishment, with more than 5,000 square feet of gross floor area, providing the sale of gasoline, convenience goods, food and beverage prepared on-site for “carry-out” or on-premise consumption. A Community Travel Center may also include a drive-through, indoor and outdoor seating and shall also provide for electric vehicle charging stations and outdoor amenities.

...
AMEND existing §383-66 as follows:

§383-66 Special uses.
A. On-premises child care and preschool development facility, when located on the same parcel or an abutting parcel of a user employing no fewer than 500 employees (the "employer") for a permitted use within the Light Industrial No. 2 Zone, provided further that:
   [Amended 6-6-2005]
   (1) At least one-half of the clients served by the facility must be children of employees or children of family members of employees of the employer.
   (2) The balance of the clients served by the facility may be children of employees or children of family members of employees of other employers located within the Light Industrial No. 2 Zone or children of employees of the on-premises child care and preschool development contractor.

G. Community Travel Center, provided that:
   (1) The subject Property has frontage on or is immediately adjacent to a non-access highway line of the interstate 95 road system or its access ramp(s) and frontage on Marsh Hill Road.
   (2) Outdoor storage and display of merchandise typically sold as automotive and convenience related items are permitted.
   (3) In addition, a Community Travel Center under this subsection may also include year-round outdoor dining.
   (4) Gasoline pumps and/or the sale of gasoline shall be permitted, provided that the pump for the retail selling of gasoline on any lot is located a minimum of 2,500 feet from any other lot where the retail sales of gasoline occurs, regardless of the district or Town in which such other lot may be located. The 2,500 feet shall be the straight horizontal distance from the property line of the lot where gasoline sales is proposed to the property line of any lot where gasoline sales exists.
   (5) All gasoline pumps must be serviced by an overhead canopy. The canopy must comply with all building setbacks of the Orange Zoning Regulations.
   (6) All gasoline pumps and pumping areas shall meet the design and safety standards of the Orange Building Department and Fire Marshal's office.
   (7) The location of gasoline pumps shall be designed so as to isolate vehicles being fueled, from vehicles entering and exiting the site, and from on-site pedestrian traffic.

H. Electric Vehicle Showroom, provided that:
   (1) The subject Property has frontage on or is immediately adjacent to a non-access highway line of the interstate 95 road system or its access ramp(s) and frontage on Marsh Hill Road.
   (2) Outdoor storage and display of electric vehicles are permitted.
   (3) In addition, an electric vehicle center under this subsection may also include indoor and/or outdoor function space.
   (4) Notwithstanding the provisions of Article XIII §383-121 Outdoor storage and outdoor displays.
AMEND existing §383-141 as follows:

§383-141 Special standards for drive-through service windows and ATMs.

Drive-through service windows and bank automated teller machines in Local Shopping Center (LSC), Commercial C-1, and Commercial C-2 Districts and Community Travel Centers in Light Industrial District #2 LIL as provided for in §§ 383-34A, 383-42A, and 383-50A and 383-66G shall conform to the following additional standards:

...

AMEND existing §383-143.4 as follows:

§383-143.4 Special standards for outdoor restaurant seating.

A. Outdoor dining/seating shall only be allowed by special permit as an incidental use to an established restaurant, coffee house, or other food service business.

B. No outdoor dining/seating shall be established on any property until an application has been made and reviewed by the Plan and Zoning Commission. The application shall include a detailed site plan, lighting plan, and permission from the property owner and/or Management Company. The site plan must be reviewed by public safety officials, including the Fire Department, Police Department, Town Sanitarian, and W.P.C.A. Administrator. Written approval and comments from these departments must be obtained prior to submitting the application. The site plan must also show the number and location of all tables and seats that will be provided. If outdoor dining/seating is proposed on a common area of a shopping center, adjoining businesses must be notified of the application. An annual renewal of the permit will be required, and unless changes from the original site plan have been made, this review will be done by the Zoning Enforcement Officer for the Town of Orange.

C. Approved outdoor dining/seating will be allowed from April 1 through November 15 year-round.

...
AMEND existing §383-174 as follows:

§383-174 Number of spaces required.

Unless otherwise authorized in accordance with § 383-175 or any other section of these regulations, the following number of parking spaces shall be provided:

<table>
<thead>
<tr>
<th>E. Retail/Service Type Uses</th>
<th>Minimum Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Shopping centers and retail stores up to and including 10,000 square feet of gross</td>
<td>4.50 per 1,000 square feet of gross leasable area</td>
</tr>
<tr>
<td>leasable area</td>
<td></td>
</tr>
<tr>
<td>2. Shopping centers and retail stores of 10,001 to 25,000 square feet of gross leasable</td>
<td>4.00 spaces per 1,000 Square feet of gross leasable area but</td>
</tr>
<tr>
<td>area</td>
<td>not less than 45 spaces</td>
</tr>
<tr>
<td>3. Shopping centers and retail stores of 25,001 square feet or more of gross leasable area</td>
<td>3.75 spaces per 1,000 square feet of gross leasable area but</td>
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<tr>
<td></td>
<td>not less than 1000 spaces</td>
</tr>
<tr>
<td>4. Garden center: stand-alone, with a permanent roof, or when comprising 20% or more of the</td>
<td>4.00 spaces per 1,000 square feet of gross leasable area</td>
</tr>
<tr>
<td>ground floor area of the retail establishment it is attached to and part of</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No additional spaces required</td>
</tr>
<tr>
<td>5. Garden center: without a permanent roof and when comprising less than 20% of the ground</td>
<td></td>
</tr>
<tr>
<td>floor area of the retail establishment it is attached to and part of</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4.0 spaces for each service bay</td>
</tr>
<tr>
<td>6. Motor vehicle service stations and repair garages</td>
<td>1.0 spaces for each three legal occupants</td>
</tr>
<tr>
<td>7. Funeral parlor</td>
<td></td>
</tr>
<tr>
<td>8. Electric Vehicle Showroom</td>
<td>**2.0 spaces per 1,000 square feet of showroom, plus 4 spaces</td>
</tr>
<tr>
<td></td>
<td>for each service bay</td>
</tr>
<tr>
<td>9. Community Travel Center</td>
<td>**4.0 spaces per 1,000 square feet for retail area, plus 8</td>
</tr>
<tr>
<td></td>
<td>spaces per 1,000 square feet of restaurant area</td>
</tr>
</tbody>
</table>