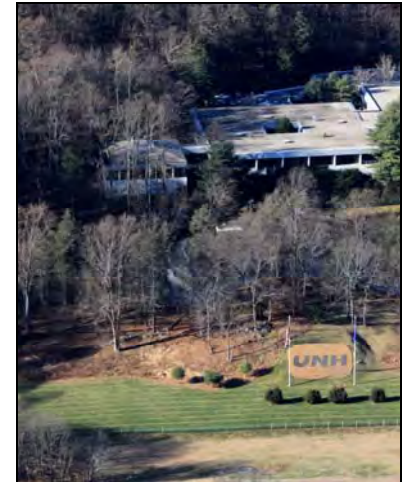


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ORANGE

2015 Plan of Conservation and Development



Town Plan and Zoning Commission

Effective Date – June 27, 2015

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INTRODUCTION

1

Overview

This document is the 2015 Plan of Conservation and Development for Orange, Connecticut. It has been adopted by the Town Plan and Zoning Commission in accordance with the provisions of Section 8-23 of the Connecticut General Statutes.

At its most basic level, the process of preparing a Plan of Conservation and Development (POCD) is really a process for making informed decisions about the future. A POCD is a document whose purpose is to establish a common vision for the future of a community and then determine policies that will help attain that vision. While it will often address issues related to the economic development and social development, its key purpose and function is to address the physical development of a community.

Over the course of many months, the Town Plan and Zoning Commission discussed issues and topics thought to be important to the future of Orange and possible approaches and strategies that might be wise to consider. Public workshops were held to involve residents in identifying issues to be considered as part of the POCD and providing feedback on some of the strategies identified. As a result of this process, the POCD is felt to reflect a consensus about desirable strategies for Orange to consider and desirable future outcomes.

Following a public hearing, this POCD was adopted with an effective date of June 27, 2015. Following adoption of the POCD, attention turns to implementation. While the POCD is primarily an advisory document, it provides a framework for consistent decision-making with regard to conservation and development activities in Orange over the next decade or so.

“If you don’t know where you’re going, you’ll wind up somewhere else.”

**Yogi Berra,
Baseball Legend
Renowned Punster**

Prior Orange Plans

Orange has prepared, adopted and implemented comprehensive plans in the past.

The most recent plan, adopted in 2000, was prepared with the assistance of O'Brien and Marmo Associates of Hamden, CT.

The preceding Town Plan, adopted in 1985, was prepared with the assistance of Robert S. Bryan and Associates of Fairfield, CT.

Other Town Plans were prepared in earlier years.

This POCD is intended to continue this approach of evaluating and promoting the appropriate conservation and development of the community.

STATUTORY PROVISIONS

EXCERPTS FROM CONNECTICUT GENERAL STATUTES 8-23 – PLAN OF CONSERVATION AND DEVELOPMENT

The Commission shall:

- prepare, adopt and amend a plan of conservation and development ...
- review the plan of conservation and development at least once every ten years ...
- adopt such amendments to the plan or parts of the plan ... as the commission deems necessary to update the plan.

The Plan shall:

- be a statement of policies, goals and standards for the physical and economic development of the municipality, ...
- show the commission's recommendation for the most desirable use of land within the municipality for residential, recreational, commercial, industrial and other purposes and for the most desirable density of population in the ... parts of the municipality.
- be designed to promote with the greatest efficiency and economy the coordinated development of the municipality and the general welfare and prosperity of its people.
- be made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound ...
- make provision for the development of housing opportunities, including opportunities for multifamily dwellings consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region ...
- promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs ...
- take into account the state plan of conservation and development ... and note any inconsistencies it may have with said state plan.
- consider the use of cluster development to the extent consistent with soil types, terrain, and infrastructure capacity.

The Plan may:

- show the commission's recommendation for a system of principal thoroughfares, parkways, bridges, streets and other public ways; for airports, parks, playgrounds and other public grounds; for general location, relocation and improvement of public buildings; for the general location and extent of public utilities and terminals, whether publicly or privately owned for water, sewerage, light, power, transit and other purposes; and for the extent and location of public housing projects.
- include recommended programs for the implementation of the plan ...
- (include) such other recommendations ... in the plan as will ... be beneficial to the municipality.

CONDITIONS & TRENDS

2

Overview

This chapter provides a general overview of conditions and trends affecting Orange. It has been prepared for the Town Plan and Zoning Commission and for people interested in preparation of the 2015 Plan of Conservation and Development.

“If we could first know where we are and whither we are tending, we could then better judge what to do and how to do it.”

**Abraham Lincoln,
American President**

History



People



Housing



Economy



History Of Orange

Pre-European Settlement

The basic landscape of Orange evolved over millions of years as a result of massive natural and geologic processes. While human settlements of this area are believed to date back about 10,000 years, a written history of settlement patterns is only available for the past 400 years or so. It is known that, by the early 1600s, Native Americans of the Paugusset tribe and other Algonquian people inhabited the coastal parts in this area. The Paugusset tribe subsisted as hunters and gatherers supplemented by fishing, shell fishing, and rudimentary agriculture.

Colonialization

Although Dutch and English explorers and traders came to areas along Long Island Sound after 1614 and traded with the Native American tribes, it was not until 25 years later that European settlement of this area occurred. In 1639, land in the area we now know as Milford and Orange was “purchased” from the Native Americans for six coats, ten blankets, one kettle, twelve hatchets, twelve hoes, two dozen knives and a dozen small mirrors. Due to differences in cultures, the Paugussets may not have realized that the English settlers believed they were acquiring the exclusive rights to the land area.

Settlement began soon thereafter and the population grew over time. The soils in this area were good for agriculture and the land and waters supported hunting and fishing. As population increased, settlement spread out.

By 1800, this area (then known just as Milford) had grown to a community of about 2,400 people.



Community Evolution

By 1822, residents of this area successfully petitioned the Connecticut Legislature for permission to establish a separate municipality - the town of Orange. The town is said to be named after King William III, "Prince of Orange", successor to the British king who tried to seize Connecticut's Charter. About 100 years later, in 1921, the boundaries of Orange as we know them today were established when West Haven split off as a separate community.

Orange was a predominately rural and farming community for many years. While railroad service and trolley service started in the late 1800s and connected Orange to surrounding communities, Orange remained rural. Even though speculators proposed a new development called "Tyler City" with 2,000 lots and sold many of the lots, it never really took off and Orange remained rural. The construction of the Wilbur Cross Parkway also did not change rural nature of Orange. In 1940, Orange had a population of only 2,009 people.

Post-War Suburbanization

However, after World War II, Orange experienced the same surge of growth that affected other suburban communities. The proliferation of roads and the automobile made individual transportation more convenient and areas more accessible. Construction of Interstate 95 in the 1950s encouraged the suburban development of residential areas and Orange was no different. By 1970, Orange had grown to be a community of over 13,500 people and was well on its way to being a suburban community.

Postcard (circa 1906)



Tyler City Map



Community Formation

The conditions that resulted in the establishment of other communities in Connecticut generally proceeded as follows.

People built houses in outlying areas (that would eventually become other communities) so that they did not have to travel back and forth from the village to their fields on a daily basis.

Settlers then established parishes or ecclesiastical societies in outlying areas near their houses so that they would not have to travel back and forth to the meetinghouse for religious services on a regular basis.

Finally, parishioners established a town (with the approval of the General Assembly) so that they would not have to travel back and forth to the village for town meetings and other governmental purposes on a monthly or annual basis.

Population Change

1830	1,341
1840	1,329
1850	1,476
1860	1,974
1870	2,634
1880	3,341
1890	4,537
1900	6,995
1910	11,272
1920	16,614
1930	1,530
1940	2,009
1950	3,032
1960	8,547
1970	13,524
1980	13,237
1990	12,830
2000	13,233
2010	13,956

1900 - 2010 Census

Projections

	<i>Low</i>	<i>High</i>
2020	14,147	14,449
2030	14,719	14,915
2040	15,373	15,381

Low projections by Planimetrics. High projections by Connecticut State Data Center at UConn with extrapolation to 2040.

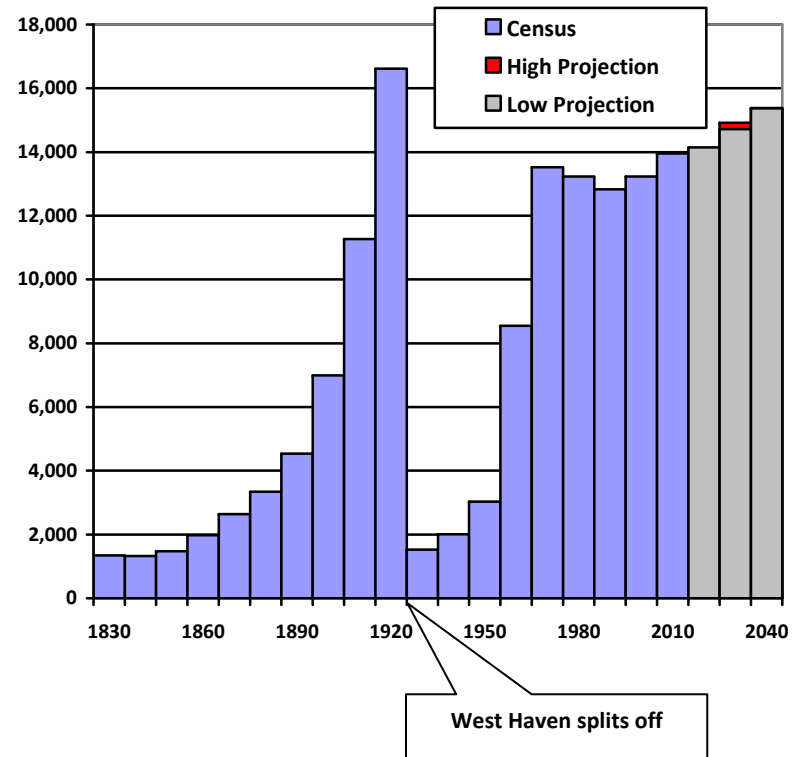
People Of Orange

According to the U.S. Census, Orange had a population of 13,956 people in 2010. The increase of 723 people (5.4 percent) from the 2000 Census was the most growth in a decade in Orange since 1970.

The post-war trend of suburbanization swelled Orange's population from 1950 to 1970. Population growth has been slower in the last few decades since housing growth has slowed and the residents of new houses have been offset by the decreasing size of existing households.

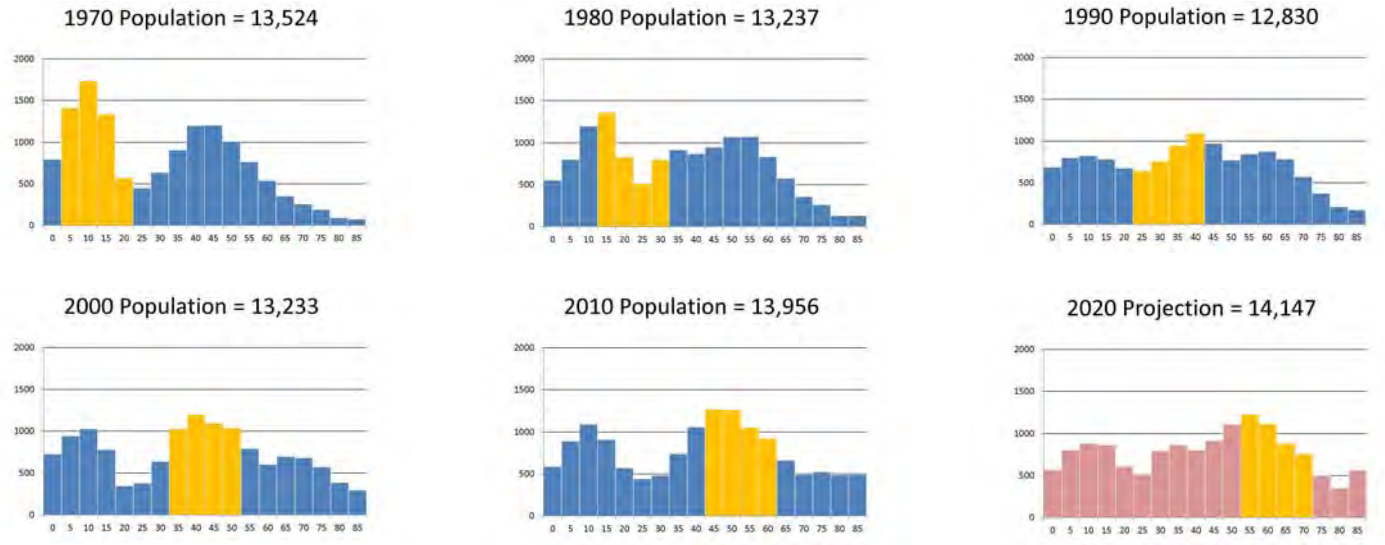
If recent trends continue, Orange's population could grow modestly to 2020 and beyond.

Orange's Population (1830 – 2040)



Age Composition

Although Orange’s overall population has not changed significantly since 1970, there have been changes in the age composition of the community. Overall, the number of older residents has been increasing as has the median age.



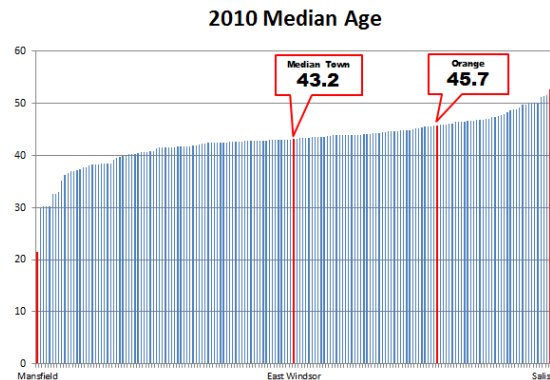
Age Composition

In the charts on this page, each column represents a 5-year age group and the height of the column represents the number of people in that age group in that Census.

The “baby boom” generation (people born between about 1945 and 1965) is highlighted in yellow.

Since the median age in Orange is already higher than for many of the municipalities in Connecticut, the needs and desires of older residents may have more of an impact in Orange than some other places.

Note that the “baby boom” will be aged 55 to 75 in the year 2020 and the changing needs and desires of this age group and their children (the “baby boom echo” - born between about 1980 and 2000) will have implications for Orange and for other communities.



Dynamics of Migration

By comparing the size of each age group in the Census with the same birth year in the prior Census (the group that was 10 years younger ten years earlier), migration patterns by age group can be evaluated.

Dynamics of Population Change

Population change in a community can occur due to natural change (the number of births compared to the number of deaths) and/or migration change (the number of people moving in compared to the number of moving out). Over the last six decades, net migration has been the major influence of overall population change in Orange.

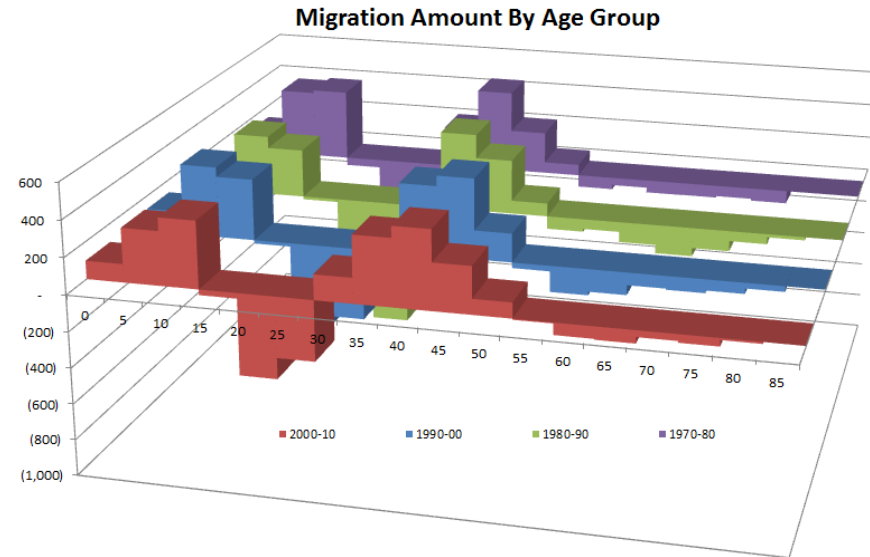
Components of Population Change

	1950s	1960s	1970s	1980s	1990s	2000s
Total Change	+5,515	+4,977	(287)	(407)	+403	+723
Births	910	1,436	845	1,021	1,152	1,089
Deaths	377	732	941	1,060	1,050	1,222
Change By Natural Increase	+533	+704	(96)	(39)	+102	(134)
Change From Net Migration	+4,982	+4,273	(191)	(368)	+301	+857

Connecticut State Department of Health, Planimetrics

Looking at migration by age group over the last four decades reveals an interesting pattern.

During that time period, Orange has consistently attracted families with school age children and lost young adults (off to college and to find jobs) and older households (above age 50).

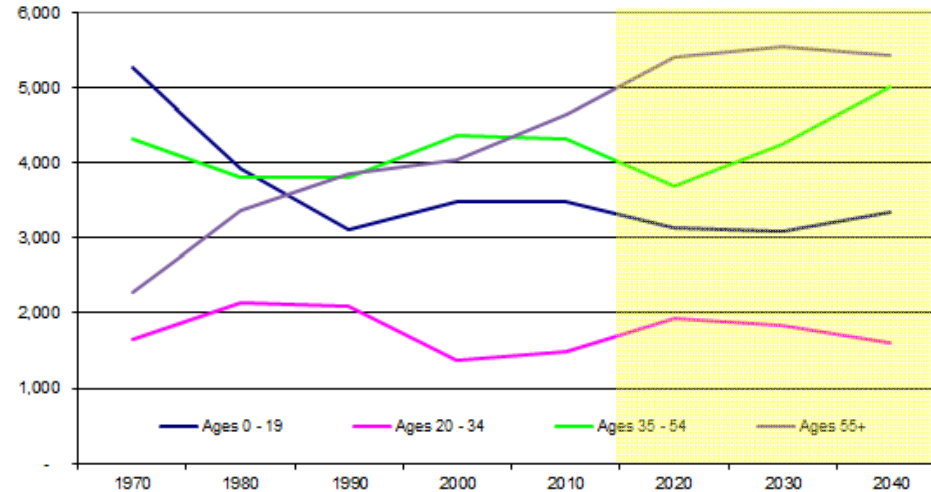


Age Composition Projections

While modest population growth is expected in Orange over the next 20 years or so, the age composition of the community is expected to change. The adjacent chart illustrates anticipated trends in Orange’s age composition.

Since different age groups have typically had different needs and desires, the table on the bottom of this page suggests how past behaviors may affect the community over the next 20 to 30 years.

Orange Age Composition – History And Projections (1970 – 2040)



Demographic Changes

The overall age composition of a community changes as a result of demographic changes in:

- new housing units (where new residents move in),
- sales of existing units (where new households moving in may be different than those moving out), and
- stable units (where existing residents may age, have children, move out, divorce, separate, marry, adopt, or die).

Description	Possible Needs / Desires	Projection to 2040
Children (Ages 0 to 19)	<ul style="list-style-type: none"> • Child Care • School facilities 	<ul style="list-style-type: none"> • Recreation facilities/ programs <p>Expected to remain fairly steady / possible uptick towards 2040</p>
Young Adults (Ages 20 to 34)	<ul style="list-style-type: none"> • Rental housing • Starter homes 	<ul style="list-style-type: none"> • Social destinations <p>Possible uptick to 2020 due to “baby boom echo”</p>
Middle Age Adults (Ages 35 to 54)	<ul style="list-style-type: none"> • Family programs • Educational programs 	<ul style="list-style-type: none"> • Trade-up homes <p>Uptick anticipated after 2020 due to “baby boom echo”</p>
Mature Adults (Ages 55+)	<ul style="list-style-type: none"> • Housing options / smaller homes • Second homes 	<ul style="list-style-type: none"> • Tax relief • Elderly programs <p>Increase expected to 2030 as “baby boom” ages</p>

Household Size

The term “household size” refers to the number of persons per occupied housing unit.

Many people are surprised to learn that more than half of the housing units in Orange (53 percent) are occupied by one or two people.

2010 Household Size

1-person	948	19%
2-person	1,754	34%
3-person	953	19%
4-person	972	19%
5-person	346	7%
6+-person	150	3%

Housing In Orange

According to the Census, Orange had 5,345 housing units in the year 2010. This represents an increase of 475 housing units (9.8 percent) since the 2000 Census. Due to overall economic conditions, growth has been slow since the late 2000s.

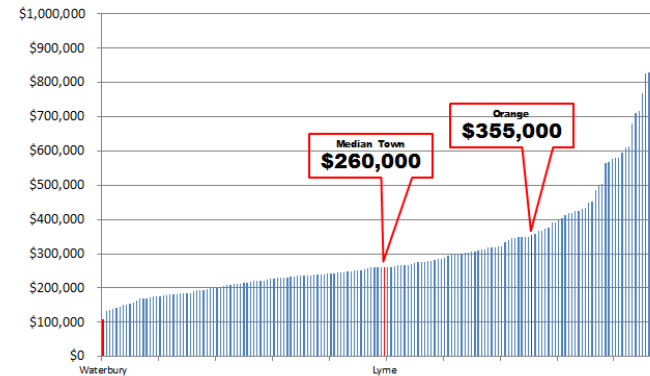
Housing Values

The 2010 median housing sale price in Orange (\$355,000) was higher than the median for New Haven County (\$243,000) and for all surrounding municipalities except Woodbridge.

2010 Housing Values

Town	2010 Median Sales Price
Orange	\$355,000
Woodbridge	\$420,000
Shelton	\$319,000
Milford	\$284,900
Derby	\$204,800
West Haven	\$174,950
New Haven	\$162,500
New Haven County	\$243,000
Fairfield County	\$522,000
Connecticut – Median Town	\$260,000
Connecticut – Median Price	\$250,000

Median Sales Price (2010)



Housing Portfolio

The overall housing mix in Orange is dominated by single-family homes. About 90 percent of the housing units in Orange were classified in the American Community Survey as single-family units and about 10 percent were classified as multi-family units. This housing mix most likely reflects Orange’s growth phase in the 1960s and 1970s when there was a strong preference for single-family detached homes to house young families in a suburban setting.

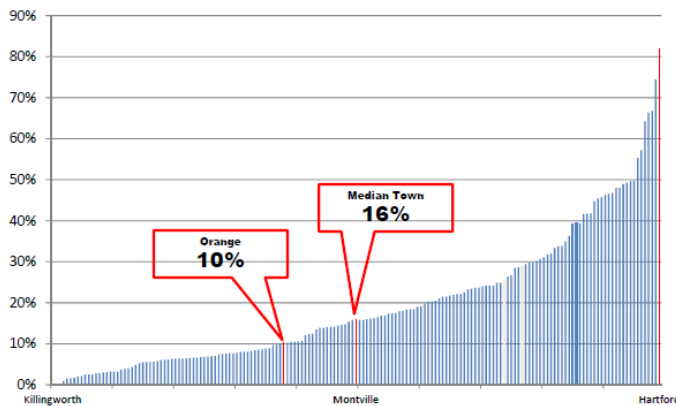
Connecticut has established a goal for all communities to have at least 10 percent of their housing stock affordable to persons and families earning 80 percent of the area median income (or less). Communities which do not have at least 10 percent of their housing units “governmentally assisted” or “deed-restricted” to affordable prices or rents are subject to the Affordable Housing Appeals Procedure (CGS 8-30g). As of 2014, about 1.1 percent of the housing stock in Orange reportedly met that standard and so the Town is subject to that procedure. House values in Orange are higher than some other communities in New Haven County. However, housing in Orange is considered more affordable than housing in many areas of Fairfield County just to the west.

Affordable Housing

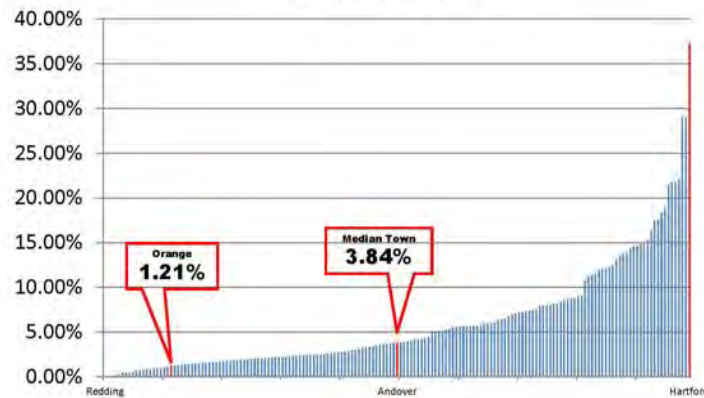
Town	Percent Affordable
Connecticut	11%
New Haven	29%
West Haven	12%
Derby	11%
Milford	7%
Shelton	3%
Orange	1%
Woodbridge	1%

Department of Housing

Percent Multi-Family



Percent Affordable



Economy of Orange

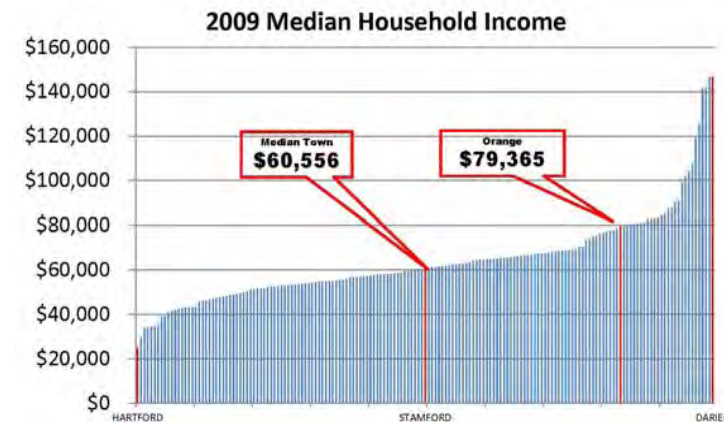
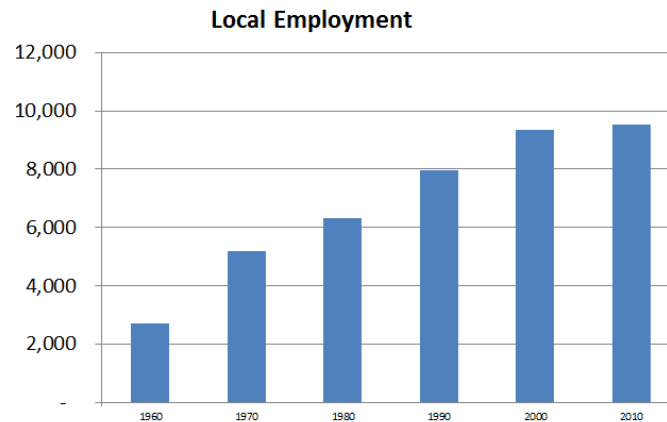
While Orange is often perceived to be a residential community, it is also an economic powerhouse based on the number of jobs in the community, retail sales, and local income. Note that the excellent highway access and the concentration of jobs and people in and around Orange make Orange a desirable community due to its proximity to employment opportunities (for residents) and to other commercial enterprises and a labor force (for businesses).

Overall Employment

In 2010, Orange was the location of about 9,500 jobs at the various businesses and other organizations in the community. Since only about 600 of these workers live here, a significant number of people commute to Orange on a regular basis.

Income of Residents

Median household incomes in Orange have historically been higher than that for both the state and New Haven County.



Retail Sales

In terms of retail sales, the fact that per capita sales in Orange are more than double that for the median town indicates that Orange is serving a larger population than just local residents.



Regional Relationships

As can be seen from the following data, Orange is an integral part of a larger region. On a daily basis, Orange sends thousands of workers to jobs in other communities and accepts thousands of workers who live in other places.

Commuters (2010)

Workers In Orange Commute From		Residents of Orange Commute To	
West Haven	970	New Haven	1,029
New Haven	806	Milford	738
Milford	652	Orange	614
Orange	614	West Haven	390
Bridgeport	442	Bridgeport	366
Hamden	382	Stratford	356
Stratford	305	Shelton	225
Shelton	248	Hamden	224
East Haven	217	Fairfield	175
Meriden	188		

Concepts

Developed Land - land that has buildings, structures, or improvements used for a particular economic or social purpose (such as residential or institutional)

Committed Land - land that is used for a particular economic or social purpose (including open space)

Vacant Land - land that is not developed or committed

Potentially Developable Land - land that is developed or committed but that has development potential remaining (such as a house on a 10-acre parcel that might be subdivided into additional lots)

Use Of Land

Orange contains approximately 11,190 acres. Information from the assessor’s database estimates that about 83 percent of Orange (about 9,291 acres) is either developed for residential, business, industrial, or institutional purposes, or committed to a specific use such as open space or agriculture.

Approximately 1,900 acres of land may be available for development in the future.

Residential Uses



Open Space



Business Uses

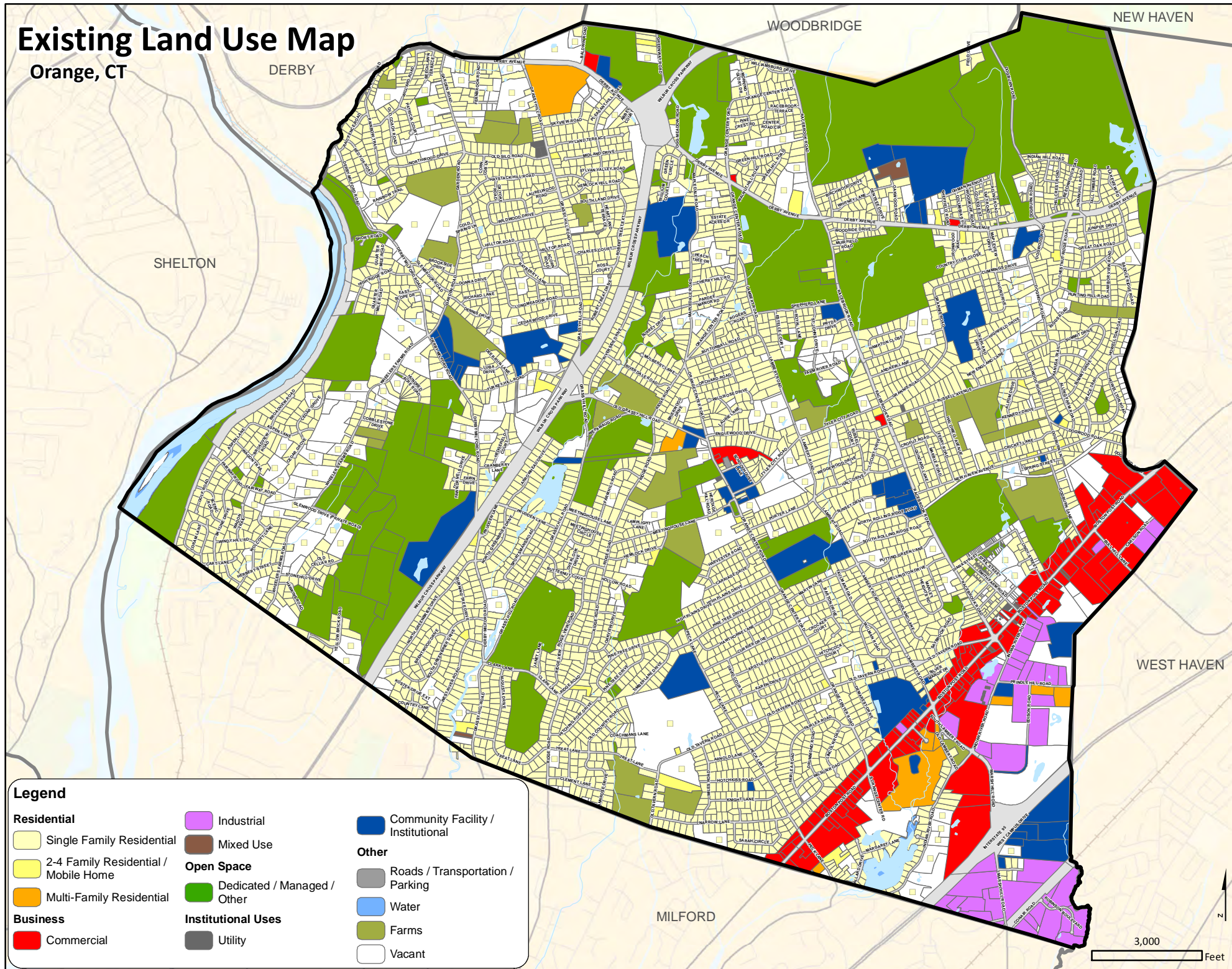


Institutional Uses



Existing Land Use Map

Orange, CT



Legend

Residential

- Single Family Residential
- 2-4 Family Residential / Mobile Home
- Multi-Family Residential

Business

- Commercial

Industrial

- Industrial
- Mixed Use

Open Space

- Dedicated / Managed / Other

Institutional Uses

- Utility

Other

- Community Facility / Institutional
- Roads / Transportation / Parking
- Water
- Farms
- Vacant

3,000 Feet



Zoning Of Land

About 81% of Orange (9,056 acres) is zoned for residential use. Approximately 8% of Orange is zoned for business development. The remaining land area is road and rail rights-of-way (1,155 acres). In addition, there is a Transit-Oriented Development Overlay District which affects 37 acres near the proposed train station on Marsh Hill Road.

Build-out Potential

If potentially developable land in Orange were to be developed in accordance with existing zoning, it is estimated that this land might generate:

- about 700 additional housing units,
- about 2,000,000 square feet of additional business floor area.

The residential build-out could be higher if farms, golf courses or similar uses were converted to residential use.

Zoning Map

Orange, CT

DERBY

WOODBIDGE

NEW HAVEN

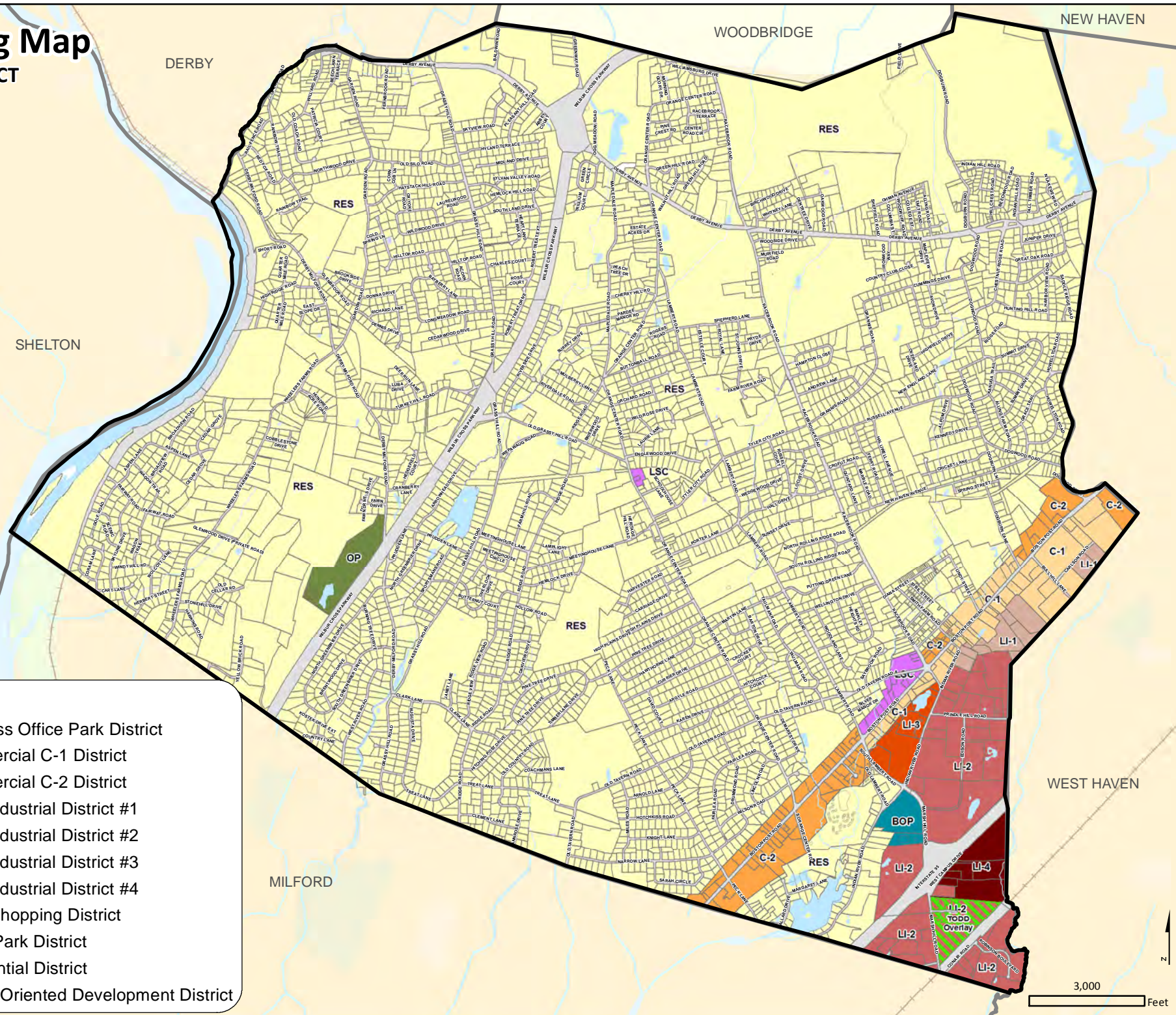
SHELTON

MILFORD

WEST HAVEN

Legend

- BOP Business Office Park District
- C-1 Commercial C-1 District
- C-2 Commercial C-2 District
- LI-1 Light Industrial District #1
- LI-2 Light Industrial District #2
- LI-3 Light Industrial District #3
- LI-4 Light Industrial District #4
- LSC Local Shopping District
- OP Office Park District
- RES Residential District
- TODD Transit Oriented Development District



3,000

Feet

Per Capita Spending

Woodbridge	\$4,936
Orange	\$4,461
New Haven	\$3,937
Milford	\$3,872
Derby	\$3,091
Shelton	\$2,868
West Haven	\$2,761

Revenue From Property Tax

Orange	90%
Woodbridge	89%
Shelton	83%
Milford	80%
Derby	64%
West Haven	58%
New Haven	45%

Fiscal Considerations In Orange

Expenditures - Expenditures are the major component of the municipal fiscal equation and the 2013-14 annual budgets in Orange is approximately \$61 million. Education is the highest category of expenditures (\$39.9 million). In terms of overall spending, Orange spends more on a per capita basis than surrounding towns with the exception of Woodbridge.

Revenue - Most revenue in Orange comes from the property tax because Orange receives less intergovernmental revenue (state aid) than other nearby communities. In fact, Orange has the highest percentage of revenue from the property tax compared to surrounding communities.

Tax Base - On a per capita basis, Orange has a stronger tax base than many other communities. Since about 20 percent of the local tax base consists of non-residential property (commercial, business, and public utility), this helps reduce the tax burden on residential property owners.



COMMUNITY ISSUES & CONCERNS

3

Overview

A variety of methods were used as part of the planning process for Orange in order to identify issues and concerns important to the community. These exercises included:

- discussions among members of the Town Plan and Zoning Commission,
- surveys of and interviews with members of other boards and commissions,
- Surveys of and interviews with Town department heads, and
- a public meeting devoted to hearing from Orange residents.

“There is no power for change greater than a community discovering what it cares about.”

Margaret Wheatley
Writer

TPZ Discussion



Local Boards



Public Meeting Exercises



Public Meeting Discussion



“Prouds”

At an initial public meeting, residents were asked to think of things in Orange they were proud of. The three most common categories of responses included:

- Community character / spirit – things related to the overall appearance or ambience of the community or that contribute to people’s sense of what Orange means to them
- Community facilities – this included the school system, parks, recreation facilities, the library and other facilities and services that people feel contributed to their overall quality of life
- Open space – this included the overall concept of open space as well as specific open space areas

Conservation-Related Considerations

As part of these discussions, the following were identified as things people wanted to protect and preserve in Orange.

Topic	Consideration
Natural Resources	<ul style="list-style-type: none">• Town is doing a good job protecting natural resources• Drainage issues are of increasing concern• Low impact development approaches to address drainage are definitely a consideration
Open Space	<ul style="list-style-type: none">• Preservation of open space is important to residents• Town should continue to be aggressive at preserving open space• Carefully manage the open spaces we have preserved• Orange should clarify “allowed uses” of each parcel preserved to manage expectations
Community Character	<ul style="list-style-type: none">• Preservation of character is important• Preserving character includes preserving open space / farms• People like the way Orange has developed• Orange has developed a reputation as a great place to raise a family (good schools, good recreation programs, reasonable taxes, good government)• Orange should try to preserve undeveloped land
Agriculture	<ul style="list-style-type: none">• Residents still want to preserve farmland and farm uses

Development-Related Considerations

As part of these discussions, the following were identified as things people want to consider in terms of guiding future growth or change in Orange.

Topic	Consideration
Overall Approach	<ul style="list-style-type: none"> Residents support the approach of residential areas to the north and economic areas to the south Residents want to keep this basic structure and overall balance People want development to enhance the overall quality of life TPZ wants to protect Route 34 in its present state as a rural highway
Residential Development	<ul style="list-style-type: none"> Residents want to continue to protect residential neighborhoods Getting open space as part of any residential development is important to residents The time is coming for Orange to consider future housing needs and provide for housing options Residents may want to provide for housing diversity (especially for older residents)
Business Development	<ul style="list-style-type: none"> Residents appreciate the strong tax base and access to goods and services Many people feel the appearance and function of commercial areas needs attention Residents want to upgrade Boston Post Road design and landscaping People feel better development should be promoted along the Post Road Desire has been expressed to create areas with a “sense of place”
Institutional Development	<ul style="list-style-type: none"> Residents feel that having Yale University and the University of New Haven is an asset People would like to encourage a mutually beneficial relationship-
Special Places	<ul style="list-style-type: none"> Residents may be interested in creating pedestrian-oriented, mixed use activity areas The community is interested in encouraging and supporting establishment of a train station

“Sorrys”

At an initial public meeting, residents were asked to think of things in Orange they were sorry about. The three most common categories of responses included:

- Business development – people attending the meeting indicated they were irritated that Orange did not have a major supermarket and that the overall character of Route 1 was not something they were comfortable with
- Residential development – people attending the meeting expressed irritation in the lack of housing options for senior citizens and some other housing issues
- Transportation – people attending the meeting expressed frustration over traffic and congestion on major roads as well as the lack of sidewalks

“Planning Points”

At an initial public meeting, residents were asked to prioritize the topics that might be included in a POCD. The rankings and the number of points received are presented below:

Community Character	275
Open Space	245
Community Facilities	215
Natural Resources	195
Business Development	165
Water/ Sewer / Utilities	125
Traffic and Circulation	120
Walking / Biking / Bus / Train	100
Community Structure	100
Residential Development	80
Housing Diversity	80
Special Resources	70

Infrastructure-Related Considerations

As part of these discussions, the following were identified as things people want to encourage or address as part of supporting the future conservation and development of Orange.

Topic	Consideration
Community Facilities	<ul style="list-style-type: none"> Community facilities support the overall quality of life and are a huge attraction to families Maintenance of community facilities we have is important Renovate High Plains Community Center making it a Cultural Center
Vehicular Circulation	<ul style="list-style-type: none"> Addressing traffic patterns on the Post Road is important as it is a problem area People want to have the Post Road operate as efficiently as possible Some residential areas are suffering from through traffic and easing traffic impacts is key People try various routes to get from the Derby to Orange, West Haven, and Milford
Pedestrian / Bicycle Circulation	<ul style="list-style-type: none"> Many people feel that enhancing pedestrian and bicycle opportunities would be great Some residents support sidewalks / walking paths / bikeways in appropriate areas
Bus / Train Circulation	<ul style="list-style-type: none"> The community is interested in encouraging and supporting establishment of a train station
Utility Infrastructure	<ul style="list-style-type: none"> People want drainage issues addressed Residents wish certain utilities were available residential neighborhoods (public water, natural gas, and possibly sewers)

NATURAL RESOURCES

4

Overview

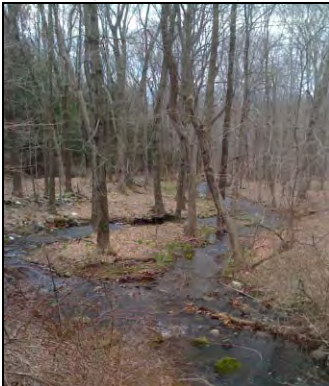
Conserving natural resource helps preserve environmental functions, enhance community character, and enhance the overall quality of life.

Conserving natural resource helps preserve environmental functions, enhance community character, and enhance the overall quality of life ...

**Land Resources
(Wetland Soils)**



**Water Resources
(Watercourses)**



**Biologic Resources
(Plant Habitat)**



**Biologic Resources
(Wildlife Habitat)**



Protect Important Natural Resources

Protection of natural resources is important to Orange residents. Orange will continue efforts to protect important natural resources:

- Watercourses and waterbodies, wetlands, and floodplains,
- Steep slopes,
- Sensitive habitats and natural diversity / unique resource areas, and
- Coastal resource areas.

Protect Important Natural Resources		See inside back cover for legend	
Policies	Leader	Partners	
1. Continue to protect watercourses, wetlands, floodplains, and other important water resources.	IWC	CC, TPZ, PW	
2. Continue to discourage development on steep slopes and other sensitive landforms.	TPZ	CC	
3. Continue to protect sensitive habitats and other natural diversity areas.	TPZ	CC	
4. Continue to protect important coastal resources and manage activities within the coastal boundary in accordance with the adopted Coastal Area Plan.	TPZ	CC	
5. Continue having the Conservation Commission monitor overall conservation issues in Orange.	CC	BOS	
6. Seek to coordinate resource protection activities with adjacent communities and regional organizations.	CC	BOS, SCRCOG	

Natural Resources Map

Orange, CT

DERBY

WOODBIDGE









NEW HAVEN

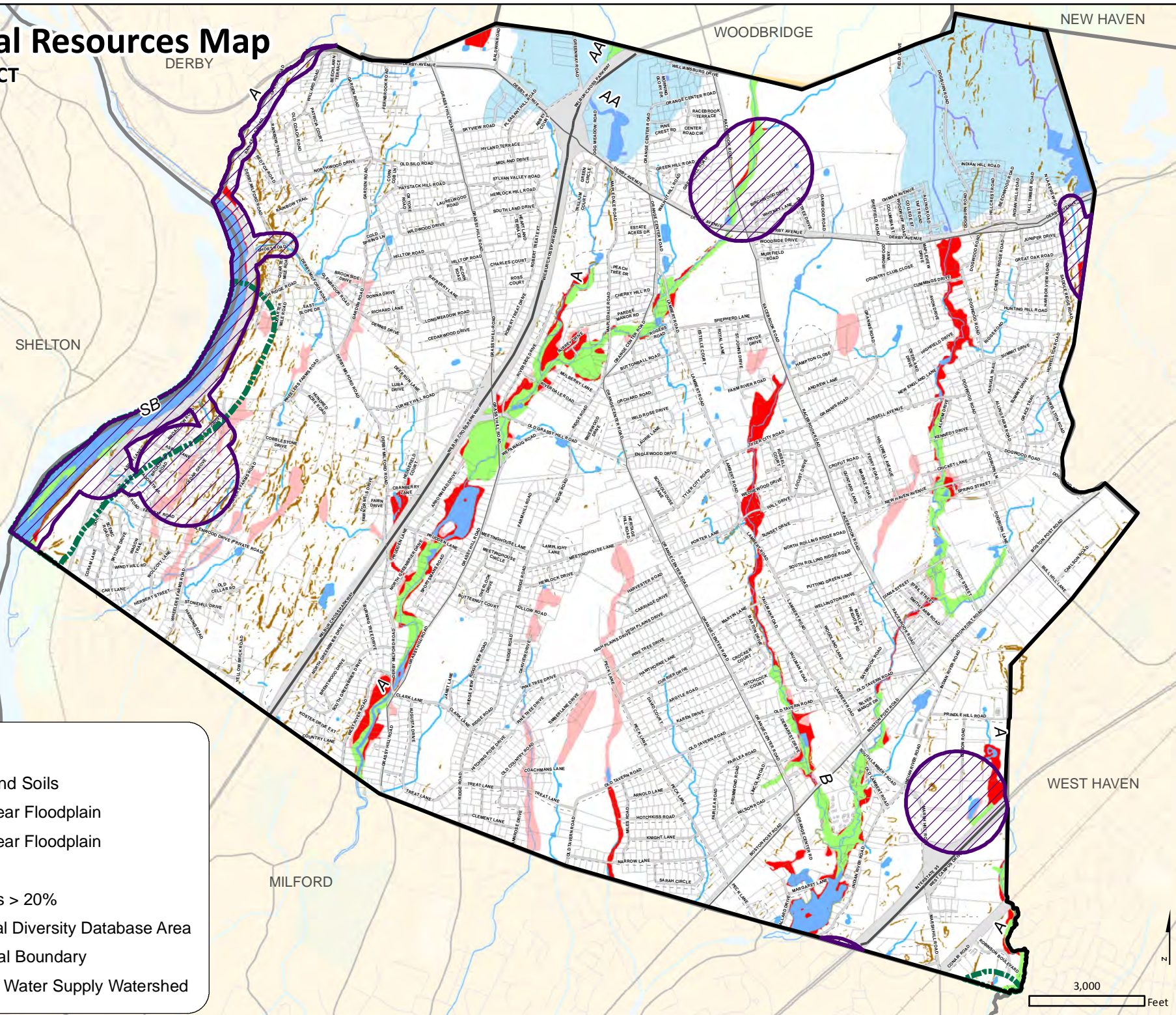
SHELTON

MILFORD

WEST HAVEN

Legend

-  Wetland Soils
-  500-year Floodplain
-  100-year Floodplain
-  Water
-  Slopes > 20%
-  Natural Diversity Database Area
-  Coastal Boundary
-  Public Water Supply Watershed



3,000

Feet

Sensitive Water Resources

The South Central Regional Water Authority manages several high-quality water bodies located in the northern portion of the Town of Orange:

- Wepawaug Reservoir and upstream segment of the Wepawaug River,
- Maltby Lakes and upstream segments of Silver Brook and the Cove River.

Activities upstream of these resources are closely managed since they occur in areas which are designated for existing or potential public supply of water.

Impaired Water Resources

Some portions of the following water resources are considered impaired by the Connecticut Department of Energy and Environmental Protection (DEEP), generally due to urban runoff and similar types of pollutants:

- Housatonic River (both salt- and freshwater sections),
- Wepawaug River,
- Race Brook,
- Twomile Brook,
- Indian River, and
- Silver Brook

Protect Water Resources

Protection of water quality is the most important natural resource protection issue in Orange. Many Orange residents obtain their drinking water from wells and there are several public water supply sources which serve residents of Orange and other communities served by the South Central Regional Water Authority. The management of water runoff quantity is also an important consideration for overall environmental health.

Development can adversely affect water resources since impervious surfaces:

- reduce groundwater infiltration and flow (reducing the water supply to wetlands and aquifers),
- accelerate runoff (leading to channel scouring and siltation of watercourses and waterbodies), and
- transmit pollutants more directly to watercourses and waterbodies.

The majority of development in the Town of Orange occurred prior to the adoption of modern-day stormwater management standards. Most of the existing drainage infrastructure consists of traditional storm drains and catch basins that discharge directly to surface waters without treatment, other than detention to maintain peak rates of discharge. Urban stormwater runoff from developed land uses (i.e., impervious cover such as roads and parking lots) is a significant contributor to water quality impairments in the Town's major water bodies.

Water Resources



Water Quality



Water Quantity



Water Quality Protection

Protecting water *quality* can be furthered by the following types of strategies:

- Managing land use activities, especially in public water supply watersheds, to reduce and minimize pollutants,
- Implementing “low impact development” (LID) practices which use vegetation and infiltration to better manage stormwater quality,
- Reducing the amount of effective impervious coverage (road widths, parking requirements, etc.) to reduce pollutants and allow for the use of some areas for implementing LID practices,
- Allowing for the use of permeable surfaces on roadways and in parking areas (e.g., porous asphalt, pavers, etc.),
- Conserving vegetated buffers along streams and rivers, and/or
- Eliminating curbing along roadways and in parking areas, where appropriate, to allow runoff to discharge and infiltrate into the surrounding natural ground surface or into an LID practice such as a roadside swale.

Improperly operating septic systems are a potential threat to water quality and public health. While there has been no indication of widespread septic failures or problems in Orange, Orange may wish to consider adopting a septic management program to help identify possible septic problems and avoid potential pollution. Communities with such programs typically:

- require that all properties be walked over at least once every three years to inspect for system failures,
- require that information on septic tank pumping be reported to the Town, and/or
- sponsor programs to educate property owners about septic operation and maintenance.

Two additional programs which can be effective in protecting water quality include:

- Educating residents about threats to water quality (lawn fertilizer, herbicide, pesticide, etc.), and
- Ensuring appropriate erosion and sediment controls.

No Curbing / Rain Garden



Permeable Pavers



Water Quality Protection

For many years, water quality protection focused on eliminating “point” sources of pollution (such as industrial discharges).

With the progress that has been made in reducing or eliminating pollution from these sources, attention has now turned to “non-point” sources. This includes storm drainage discharges, lawn fertilizer, septic systems, agricultural runoff, and similar sources.

Water Quantity Management

Managing water *quantity* (maintaining base flow and reducing peak flow) can be furthered by the following types of strategies:

- Minimizing the impact of impervious surfaces which accelerate runoff and pollutants,
- Reducing the amount of runoff discharged directly to watercourses,
- Replicating runoff characteristics of the natural environment instead of accelerating and concentrating the flow,
- Replenishing groundwater flows to wetland and watercourse areas, and/or
- Implementing “low impact development” practices which use vegetation and infiltration to better manage stormwater runoff and quantity.

The map on the facing page shows the Hydrologic Soil Group classifications for Orange from the Natural Resource Conservation Service.

This information, which is based on historical soil surveys, suggests there are a number of areas in eastern part of the community with soils which have slower infiltration rates and are less conducive to infiltration. It is these areas which have reported drainage issues, especially after major storm events.

This is significant because it coincides with areas which have historically experienced localized flooding (Wepawaug River, Indian River, and several smaller tributaries). Soils in these areas of Orange do not allow rainfall to infiltrate quickly and the resulting runoff can result in flooding.

Some other flooding issues in the community are the result of undersized drainage culverts or other issues:

- Wrights Pond / Old Grassy Hill (undersized culvert)
- Coachmans Lane / Old Country Road (undersized culvert)
- Margaret Drive / Mallard Drive (lake flooding due to outlet structure)
- Surrey Drive (flooding from the Wepawaug River)
- Prudden Lane (flooding from the Wepawaug River)

If the frequency and severity of large storms increases in the future (as is expected), flooding is expected to become more severe as well.

Hydrologic Soils Groups

Orange, CT

DERBY

WOODBRIDGE

NEW HAVEN

SHELTON

Housatonic River Watershed

Wepawaug River Watershed







Indian River Watershed

South Central Shoreline Watershed

WEST HAVEN

MILFORD

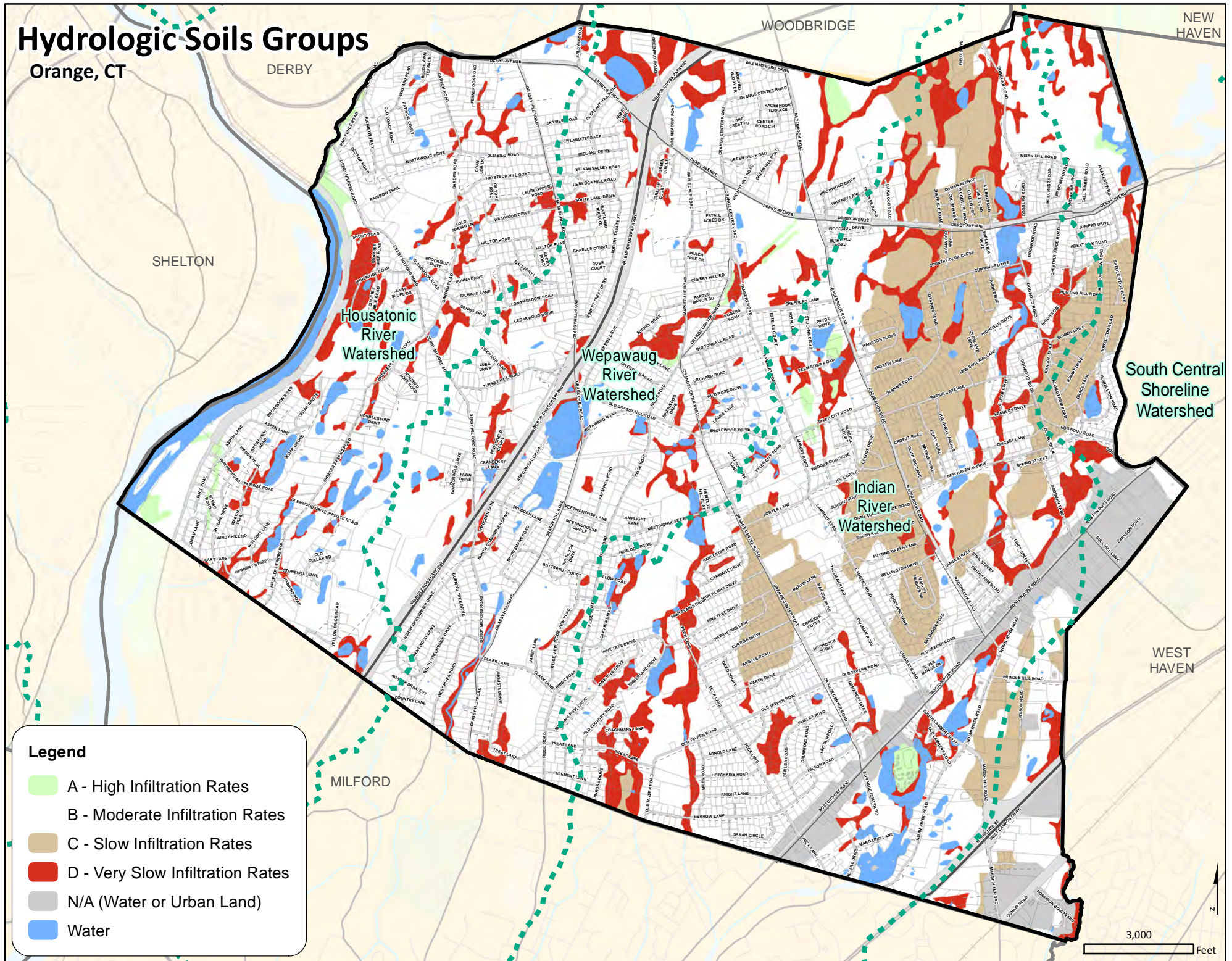
Legend

-  A - High Infiltration Rates
-  B - Moderate Infiltration Rates
-  C - Slow Infiltration Rates
-  D - Very Slow Infiltration Rates
-  N/A (Water or Urban Land)
-  Water

3,000

Feet

N



Section 382-26 of the Subdivision Regulations (Stormwater Management) provides standards to address water quantity issues:

- no increase in the rate of runoff for up to the 100-year storm event (at the discretion of the Town Engineer/Director of Public Works),
- detention systems shall be designed to capture at least the first one inch of rainfall of any storm event,
- direct stormwater discharges to watercourses and wetlands are discouraged,
- if site conditions permit, post-development stormwater volumes should remain the same or be less than pre-development volumes,
- the Town has the authority to perform maintenance on stormwater facilities that are not being properly maintained at the expense of the owner.

Importance of LID

Although most of the Town of Orange is fully developed, the potential exists for new development on undeveloped land throughout the Town and infill / redevelopment of currently developed areas.

If Orange continues to manage stormwater the way it has, drainage issues may get more urgent in the future because we are already at or near the margin of what can be accommodated.

New approaches, such as Low Impact Development (LID), are necessary to mitigate water quality and quantity impacts of future development and to protect high-quality water resources in the Town of Orange.

Opportunities exist for the implementation of LID for new development and redevelopment projects throughout the Town.

Reportedly there is currently one green infrastructure best management practice (BMP) in the Town of Orange – a rain garden at the Old Tavern Road Recreation Area. This BMP was installed during a Town funded parking lot expansion project.

Still, implementation of “low impact development” (LID) approaches is recommended in order to be able to address the water resource issues of today and the future.

Protect Water Resources	See inside back cover for legend	
Policies	Leader	Partners
1. Protect water quality by managing stormwater runoff and other sources of pollution.	TPZ	IWC, CC, PW
2. Manage water quantity by seeking to replicate the natural water cycle in terms of infiltration and runoff.	TPZ	IWC, CC, PW
3. Protect public water supply watersheds.	TPZ	IWC, CC, SCRWA
4. Implement “low impact development” practices to help manage water quality and water quantity issues.	TPZ	IWC, CC, PW
5. Seek to reduce the amount of effective impervious coverage to help reduce pollutants and runoff.	TPZ	IWC, CC, PW
6. Conserve vegetated buffers along streams and rivers through conservation easements and other means.	IWC	CC, TPZ
7. Maintain upland review areas adjacent to wetlands and watercourses in order to protect these resources.	IWC	CC, TPZ
8. Anticipate and address flooding issues in the community.	PW	EMAC
9. Consider managing water resource issues on a watershed basis.	CC	IWC, TPZ

(see recommended tasks on following page)

(see recommended policies on preceding page)

Protect Water Resources	See inside back cover for legend	
Initial Tasks	Leader	Partners
10. Review existing land use regulations and policies to remove impediments to implementing LID in Orange (road widths, parking requirements, curbing requirements, etc.).	TPZ	IWC, CC
11. Incorporate LID stormwater management standards into existing town land use regulations.	TPZ	IWC, CC
12. Educate design professionals and homeowners about LID tools and techniques.	CC	TPZ
13. Consider establishing a septic management program to identify possible septic problems and avoid potential pollution.	BPH	BOS, WPCA
14. Conduct public education about protecting water quality (including reducing fertilizer, herbicide and pesticide use).	CC	SCRWA

Rain Barrels



Infiltration Island



Detention Basin



OPEN SPACE

5

Overview

Open space can help protect community character, enhance the quality of life for residents, conserve important natural resources, provide wildlife habitat, provide fiscal and economic benefits, shape development patterns, and preserve lands for recreational uses.

In recent years, Orange has been extremely active in acquiring land and preserving it as open space. This is a significant accomplishment and will provide substantial community benefits for years to come. Orange residents understand and support these efforts. In a workshop meeting conducted early in the planning process, residents identified preserving open space and enhancing community character as the top two issues of importance to them.

As a result, the focus of this chapter is to suggest ways for the community to integrate and extend these efforts into a geographically specific open space action plan for Orange.

Preserving open space supports a number of community goals ...

Turkey Hill Preserve



Turkey Hill Preserve



Terminology

In the Plan, "dedicated open space" is used to describe land that is typically owned by a public or non-profit entity and is expected to remain as open space in perpetuity. It typically allows for public use of the land.

The term "managed open space" includes land that is used for another purpose but provides the community with some open space benefits (such as land owned or used by private schools, golf courses, cemeteries, and excess land at municipal facilities). Since such land may not allow public use of the land or may be sold or developed in the future, it is not considered dedicated open space.

Finally, "perceived open space" is private land that is presently vacant or partially developed. While this land may appear to be "open space", nothing prevents this land from being sold or developed at some time in the future. This includes land presently assessed under the Public Act 490 program as farm or forest land.

Continue Open Space Preservation Efforts

Approximately 21 percent of Orange (2,375 acres) can be categorized as open space. This includes land owned by the Town of Orange, the Orange Land Trust, the State of Connecticut, the South Central Regional Water Authority, and similar organizations. It also includes land owned by local golf courses and philanthropic organizations.

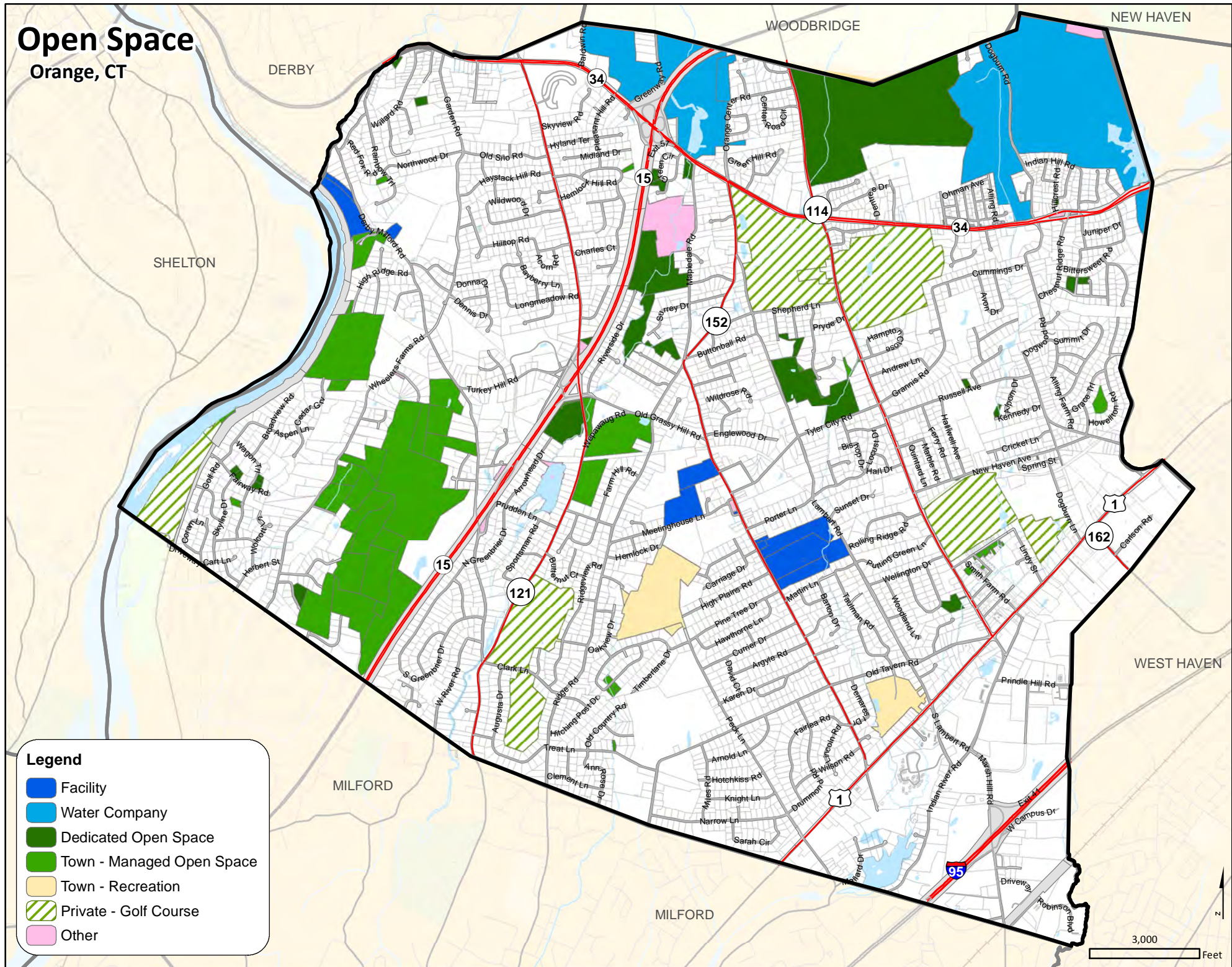
However, another 17 percent of Orange (1,898 acres) can be characterized as "perceived open space" since it is privately owned and is undeveloped at present. In other words, a large part of what residents perceive today as open space is actually undeveloped land that may be developed in the future.

For this reason, Orange will continue efforts aimed at preserving open space in the future.

Continue Open Space Preservation Efforts		See inside back cover for legend	
Policies	Leader	Partners	
1. Continue to preserve open space as opportunities present themselves.	CC	TPZ, BOS, OLT	
2. As appropriate, strive to convert managed open space and perceived open space into dedicated open space owned by the Town or the land trust.	CC	TPZ, BOS, OLT	
3. Continue to coordinate open space preservation efforts with the Orange Land Trust and similar organizations such as The Nature Conservancy and The Trust For Public Land.	CC	TPZ, BOS, OLT	
Initial Tasks			
4. Update the open space inventory in Orange and categorize parcels as appropriate.	CC		
5. Consider clarifying "allowed uses" of Town parcels in order to determine which parcels can be categorized as "dedicated" open space.	CC	BOS	
6. If open space is to be preserved as part of the development process, develop a sequence for which organizations will be considered for ownership of the open space (Town, land trust, State, other conservation organization, homeowner association, private conservation easement, etc.)	TPZ	CC, BOS, OLT	

Open Space

Orange, CT



Legend

- Facility
- Water Company
- Dedicated Open Space
- Town - Managed Open Space
- Town - Recreation
- Private - Golf Course
- Other

3,000 Feet



Priority Open Space Areas

The parcels listed below consist of parcels that were identified either by the Conservation Commission, the Land Trust, the Town Plan and Zoning Commission, or in previous Plans of Conservation of Development. These parcels are identified for a variety of reasons including their proximity to existing preserved open space (potential greenways), their location to watercourses (buffers) and/or the existence of significant natural resources or features.

The priority open space areas listed below are not necessarily areas to be municipally acquired; however purchase is one means of conservation. Development of these areas is possible consistent with their general location, but they are identified to alert land owners, developers and town officials that special care should be paid to development density and design to be sure the valuable natural characteristics of the sites are not compromised. It should be noted that the priority open space designations shown on the Open Space Plan map are intended to show general locations.

However, since the entire parcel has been identified for mapping purposes, entire parcels are included in such designations. It is not intended to imply that the entire parcel contains significant open space features.

Owner (alphabetical)	Parcel Number	Acres	Location
Addie, Associates LLC	11-3-2	77.61	361 Old Tavern Road
Bespuda, Stephen & Linda	77-3-8&9	13.2	Garden Road
Bespuda, Walter & Maryellen	77-3-1"	34.6	Derby-Milford Rd
Bespuda, Walter M.	86-1-1-15A	26.77	Garden Road
Ciola, John D & Ciola, William D	51-2-13	54.678	Meetinghouse Lane
Clark, Bryan B T & Patricia J	41-4-1	3.37	Orange Center Road
Clark, Bryan Bt & Clark Patricia J &	52-4-1A	9.16	Behind Municipal Complex
Clark, Eloise Phelps Nominee Trust	40-5-3	22	Meetinghouse Lane
Clark, Eloise Phelps Nominee Trust	52-4-1	6.79	Tyler City Road
Clark, George Edward	52-4-14	4	Lambert Road
Clark, John	41 -3-11	13	Meetinghouse Lane
Crozier, Corene L	104-1-1	6.471	1050 Grassy Hill Road
Crozier, Marjorie C & Crozier Corene L	96-2-16	4.64	1040 Grassy Hill Road
Daddario, F. Francis Est.	46-1-1	3	Wooster Island

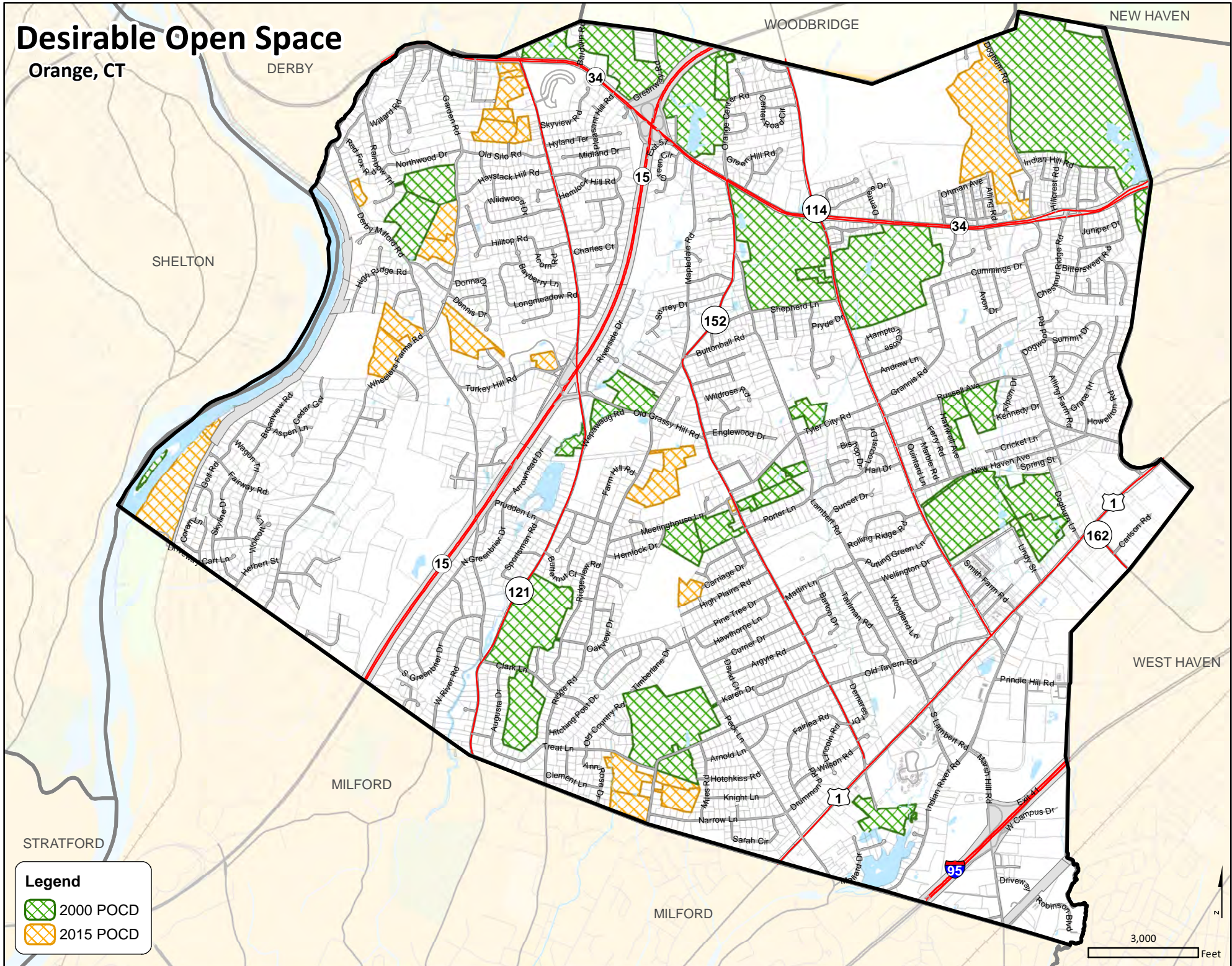
(continued)

Priority Open Space Areas (continued)

Owner (alphabetical)	Parcel Number	Acres	Location
Finer, Michael F Jr & Phyliss Y	60-2-4	5.5	445 Turkey Hill Road
Gage, I Betty T Et Al	11-4-3	6.05	398 Old Tavern Road
Gagel, Charles Et Al Custodian	11-1-7	18.07	Old Tavern Road
Grassy Hill Country Club	18-1-10	38.5	Clark Lane
Grassy Hill Country Club	27-6-1	76.4	Clark Lane
Great River LLC	46-2-1&2	51.30	Wheelers Farm Road
Great River LLC	57-1-1	2.60	Wheelers Farm Road
Hine, Gregory P & Karen A	96-2-15	20.609	1034 Grassy Hill Road
Hine, Walter S.	105-1-1	17	Derby Avenue
Holden, Raymond & Maryellen	77-3-10	15.00	870 Garden Road
Homestead Farm LLC Et Al	61-1-1	6.2	Old Grassy Hill Road
Homestead Farm LLC Et Al	61-3-8	20.4	Old Grassy Hill Road
Knight, Frederick A	4-1-1	12.00	425 Old Tavern Road
Knight, John Andrew & Lynn Marie	11-4-4	10.00	Old Tavern Road
Lesniak, Richard Jr & Stanley	58-1-11	20.28	716 Wheelers Farm Road
Lesnick, Bernice	68-2-1	16.48	760 Derby Milford Road
Macdonald, Ellen C Farm Trust	64-6-1	19.96	Russell Avenue
Martino, Dorothy J	29-4-8	7.75	483 Carriage Drive
Mcguire, Kathleen Sperry	64-6-1A	14.24	Russell Avenue
Meadowbrook Valley Farm LLC	63-2-1A-1	12.03	Lambert Road
Moncheski, Joseph	96-2-7	24.704	Grassy Hill Road
Moncheski, Joseph	96-2-8	11.472	Grassy Hill Road
Nazim, Ali	68-1-4	8.85	756 Derby Milford Road
Oak Tree Development LLC	6-4-11	23.92	S. Orange Center Road
Orange Congregational Church	41-3-17	1.736	Meetinghouse Lane
Racebrook Realty Corp	80-4-1	137.42	Derby Avenue
Racebrook Realty Corp	82-7-5	137.54	Derby Avenue
Racebrook Realty Corporation	81-5-1A	5.83	Racebrook Road
Skalsky, Nina L	96-2-9	10.74	Grassy Hill Road

Desirable Open Space

Orange, CT



Greenbelts and Greenways

A greenway is a corridor of open space that:

- may protect natural resources, preserve scenic landscapes and historical resources or offer opportunities for recreation or non-motorized transportation,
- may connect existing protected areas and provide access to the outdoors,
- may be located along a defining natural feature, such as a waterway, along a man-made corridor, including an unused right-of-way, traditional trail routes or historic barge canals, or
- may be a green space along a highway or around a village.

CGS 23-100

Strive To Create An Open Space System

While the amount of open space is important, the value of open space to residents may be more important in the long term. Some people feel that all open space should be preserved in its natural state. Others feel that all open space should be put to active recreational uses such as ball fields. Most will agree that passive uses of open space are appropriate. If open spaces can be interconnected into a cohesive overall system, the value of open space to residents and the impact on community grow exponentially through:

- increased accessibility for all residents,
- enhanced quality of life for residents,
- improved wildlife corridors, and
- more opportunities for active or passive use.

Thus, one way to enhance the value of an open space system may be to establish a system of greenways and trails. Trails and greenways add to the character of the Town and provide safe and relaxing recreation.

Efforts to create a system of trails in Orange should continue. Some communities have obtained easements over private property to create trail connections or have used former rail/streetscar corridors or electrical or sewer rights of way to create greenways and trails.

Strive To Create An Open Space System		See inside back cover for legend	
Policies	Leader	Partners	
1. Strive to establish an open space system in Orange by interconnecting open space areas into a comprehensive greenbelt system with trails.	CC	BOS, TPZ, OLT, SCRWA	
2. Promote public use of, and access to, open space.	CC	BOS, TPZ, OLT, SCRWA	
3. Continue to create a trail system within and between open spaces.	CC	BOS, TPZ, OLT, SCRWA	

Continue To Preserve Open Space

Since open space preservation is so important to residents, the Town will continue efforts to preserve open space and establish greenways.

This chapter of the Plan of Conservation and Development will be used to help coordinate and guide local open space preservation activities by providing:

- a unifying action strategy to guide open space preservation efforts,
- policies and recommendations for identifying, funding and acquiring land for open space, and
- a basis for obtaining state and/or federal grants for open space acquisition.

Fiscal Strategies

In the past, the Town has supported open space acquisition through the annual operating and capital budgets and special appropriations. Some communities have bonded open space funds in advance of a specific purchase in order to have funds available when opportunities arise and the Town may consider this approach.

In the future, the Town will continue to seek opportunities to take advantage of state and federal grant programs for open space acquisition.

Regulatory Strategies

State statutes allow communities to preserve open space at the time a property is subdivided. As a key recommendation of this POCD, the Commission will encourage “conservation subdivisions” which are also known as “open space developments”. Information explaining this approach is presented in the following pages.

Open Space Guide

A guide to local open spaces with locations, brief descriptions, trail maps, facilities, and hours is available.



It was produced by the Senior Leadership Class of 2012, a project of Orange Community Services.

CASE STUDY – Conservation Development

Conservation development is an approach that allows development to occur while protecting a site's important features. Such features may include sensitive natural resources, wildlife habitat, farmland, scenic views, or areas which contribute to the overall character of the community. It may also include open space connectivity and the establishment of greenways. The sensitive areas are typically preserved as "open space" owned by conservation organizations or by local government.

A key element of conservation development is that areas to be protected are typically identified first and then development occurs around the protected areas. This contrasts with a conventional approach where development is often laid out first and conservation areas are defined by what is left over.

Conservation development can help protect important natural resources and community character. Greenway systems and wildlife corridors can be established. Stormwater management systems can be used to promote natural flow patterns and infiltration. Studies have shown that development in close proximity to preserved open space is considered more valuable and appreciates more rapidly than other development patterns.

The graphics on these pages illustrate how "conservation design" subdivisions are related better to the natural attributes of the land and characteristics of the community than "conventional design" development patterns:

The information on the following pages suggests how a site analysis might be conducted as part of a conservation design process.

Additional information is contained in the Housing and Residential Development chapter of the POCD.

Parcel Prior To Development



Graphics by Randall Arendt

CASE STUDY (continued)

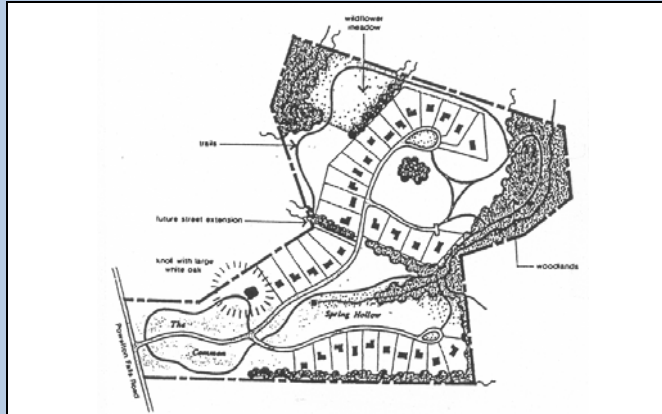
Conventional Subdivision Development



- 32 lots on 82 acre parcel
- Average lot size = 2.5 acres
- No open space preserved
- Scenic features converted into lots



Conservation Subdivision Development



- 32 lots on 82 acre parcel
- 32 acres in lot areas / average lot size = 1.0 acre
- 50 acres preserved as open space (60% of parcel area)
- 50 acres of publicly accessible open space
- Scenic features preserved



Site Analysis

Unfortunately, many subdivisions are laid out as a “geometric resolution of dimensional constraints” and are then placed on the land almost regardless of environmental constraints.

Developments which are laid out in response to the character of the land are usually better visually and environmentally.

To help promote this approach, one Connecticut town adopted the regulation shown in the case study as a way to guide the site planning process. Rather than lay out lots first and then mitigate environmental impacts, it requires that important resources be identified first and then lots laid out.

CASE STUDY - Site Analysis Approach

1. Unless waived by the Town Planner, any application for a residential subdivision ... shall include the following materials prepared by a landscape architect, civil engineer, or surveyor licensed to practice in Connecticut:
 - a. a site inventory / analysis map as described below, and
 - b. an overall ... layout plan which responds to the site inventory / analysis map.
2. A pre-application meeting with Town Staff and the Commission is strongly encouraged.
3. If the Commission is not satisfied with the quality of the analysis submitted with the application, it may hire another landscape architect, civil engineer, or surveyor licensed to practice in Connecticut to prepare such analysis and charge the applicant for the cost of such services.
4. The site inventory / analysis map shall identify:
 - a. Primary Conservation Areas:
 - Wetlands, watercourses, and vernal pools,
 - steep slopes (15 percent or more), and
 - 100-year floodplain.
 - b. Secondary Conservation Areas ...:
 - areas within 50 feet of a wetland,
 - areas within 100 feet of a watercourse or a vernal pool,
 - 500-year floodplain,
 - Natural Diversity Database sites,
 - wildlife corridors, mature woodlands, notable individual trees (>18" DBH),
 - ridgelines, scenic views and vistas,
 - stone walls and /or farm hedgerows,
 - key resources identified in the Plan of Conservation and Development ...,
 - proposed open space areas, and
 - soils with moderate to high infiltrative capacities.
5. Areas of the site which are considered Primary Conservation Areas or Secondary Conservation Areas shall be considered for permanent protection which may include preservation as open space deeded to the Town, the ... Land Trust, or another conservation organization acceptable to the Commission.
6. Areas of the site which are not considered Primary Conservation Areas or Secondary Conservation Areas shall be considered potential development areas and lots, streets, trails, and other improvements may be sited in these areas.

CASE STUDY - Environmentally-Friendly Site Planning

An appendix in another Connecticut community's Subdivision Regulations encourages applicants to use the following site design process:

1. Obtain appropriate background information (topography, wetlands, etc.).
2. Create a base map of Primary and Secondary Conservation Areas.
3. Prepare plans for development of the site utilizing the following guidelines:
 - **Avoiding impacts** by protecting natural drainage systems, minimizing the extent of land clearing and disturbance of natural soils, preventing the compaction of natural soils, and preserving soils with infiltrative capacity.
 - **Reducing impacts** by maximizing the extent of pervious areas on the site, increasing the "time of concentration" of drainage systems, and utilizing low maintenance landscapes.
 - **Managing impacts** by using vegetated stormwater systems as close as possible to the source of the runoff, reducing the use of fertilizers and pesticides, and utilizing stormwater treatment systems to reduce pollutant loads and infiltrate runoff.
4. Utilize the following guidelines for site layout:
 - Have road and driveway alignments follow the existing contours to the maximum extent practical to minimize excessive cuts and fills,
 - Use vegetated road shoulders to accept and treat stormwater runoff as close to the paved surface as possible and reduce the size of drainage pipes
 - Layout site improvements (houses, driveways, etc.) in such a manner as to minimize site clearing, soil disturbance, and grading.
 - Preserve the infiltrative capacity of native soils by avoiding disturbing areas of the site where it is not necessary.

Continue To Preserve Open Space		See inside back cover for legend	
Policies	Leader	Partners	
1. Continue efforts to preserve open space.	CC	TPZ, BOS, OLT, SCRWA	
2. Maintain an open space action plan and/or a list of priority open space parcels a unifying strategy to guide open space preservation efforts.	CC		
3. Continue to support and maintain open space acquisition through the annual operating and capital budgets.	BOS	BOF, CC	
4. Consider bonding open space funds in advance of a specific purchase in order to have funds available when opportunities arise	BOS	BOF, CC	
5. Take advantage of state and federal grant programs for open space acquisition	CC	BOS, BOF	
Initial Tasks			
6. Adopt regulations allowing for more flexible residential development patterns (such as “conservation development”) which will help preserve open space.	TPZ		

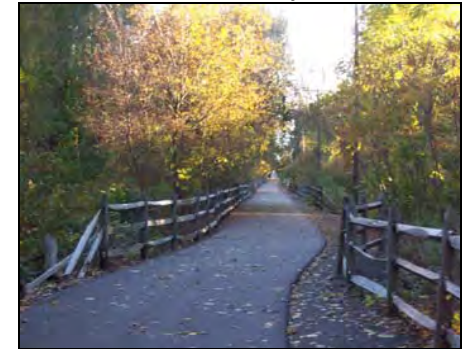
Open Space



Woodland Trail



Paved Greenway Trail



COMMUNITY CHARACTER

6

Overview

While the term “community character” might mean different things to different people, this phrase is used in the Plan of Conservation and Development to refer to those features that contribute to the overall quality of life for residents by enhancing the quality of the overall physical environment. Community character essentially consists of physical resources that make Orange special to its residents.

Community character is a core value of the community and an important element of the Plan ...

Farms



Scenic Resources



Community Spirit



Encourage Farmland Preservation

Over the course of its history, Orange has been a rural and farming community. However, agriculture uses in the Town are challenged due to farm economics, generational transfer issues, and other factors.

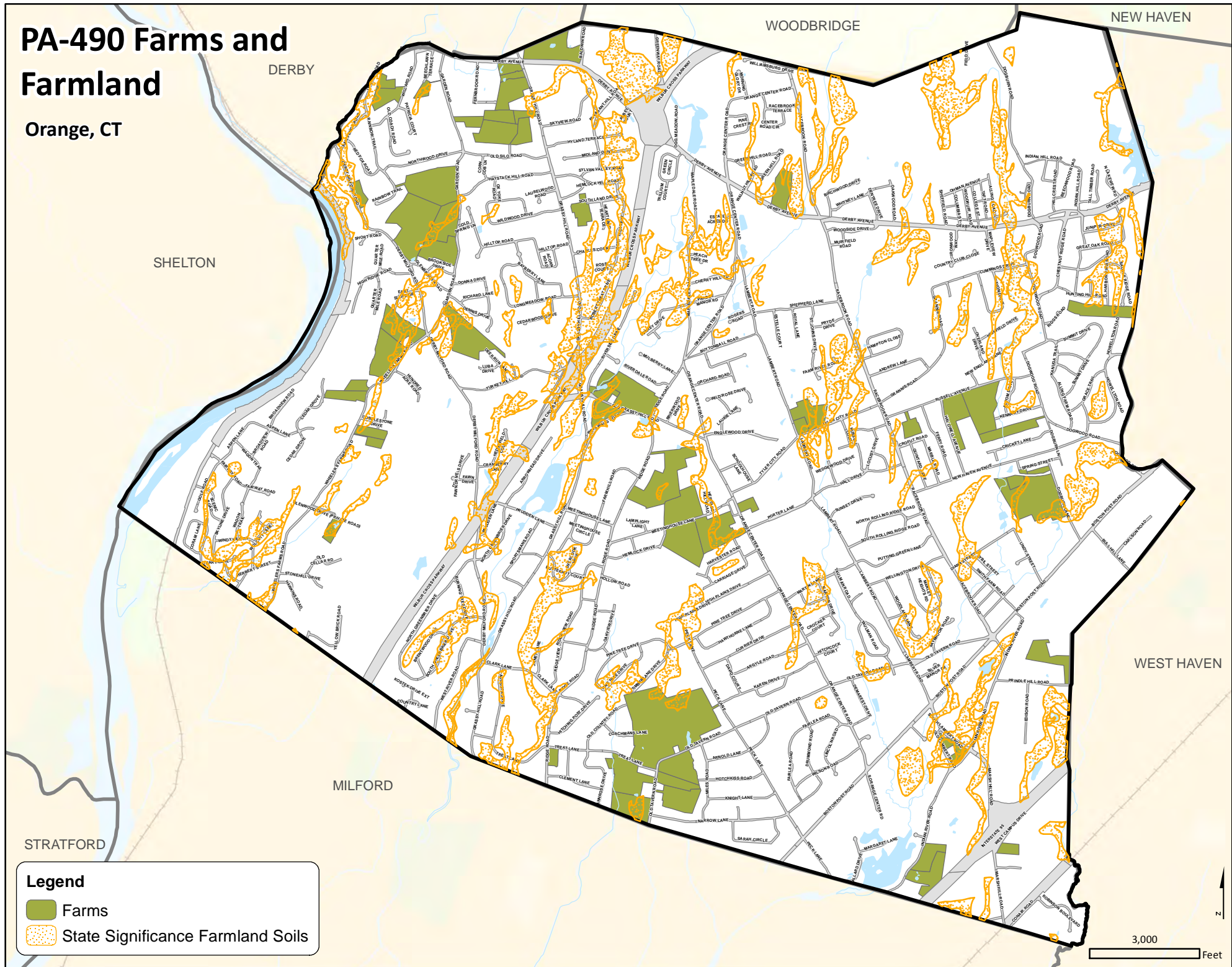
To enhance the rural character of the community, Orange will continue to seek ways to support agriculture locally:

- Continue support for reduced local tax assessment on agricultural lands (PA-490 farm assessment)
- Continue to lease Town land to farmers, as appropriate.

Encourage Farmland Preservation		See inside back cover for legend	
Policies	Leader	Partners	
1. Seek to preserve existing agricultural lands and lands that have potential for agricultural use, including purchase of development rights.	CC	BOS, TPZ, OLT	
2. Continue to seek ways to support local farms and farmers.	CC	BOS, TPZ, OLT	
3. Continue with reduced local tax assessment on agricultural lands (PA-490 farm assessment).	Staff		
4. Continue to lease Town land to farmers.	BOS	CC	
Initial Tasks			
5. Consider adopting a “right to farm” policy.	BOS	CC	



PA-490 Farms and Farmland

Orange, CT



STRATFORD

Legend

-  Farms
-  State Significance Farmland Soils

3,000

Feet

Use Assessment (PA 490)

The use assessment program (PA 490) enhances the perception of open space in Orange since it helps land remain undeveloped longer and it reduces the pace of growth.

The program contains three major components:

- Farm land (designated by the assessor if an active farm),
- Forest (designated by the assessor or the state forester), and
- Open space (eligible land must be identified in the Plan of Conservation and Development and adopted by Town Meeting).

Preserve Undeveloped Land

Community character often comes down to the perception of the amount of undeveloped land in a community. As a result, Orange has programs in place that help retain undeveloped land as long as possible.

Section 12-107 of the Connecticut Statutes allows a community to assess land by its use value (farm, forest, or open space) rather than its market value. The use assessment reduces the tax burden on the properties and reduces the possibility that land will be put into development if people cannot afford the taxes. If land is sold or developed within 10 years of its enrollment in the program, there is a provision for partial recapture of the taxes foregone.

Properties in Orange are eligible for the “farm” assessment program and the “forest” assessment program based on criteria established in the statutes and state guidelines. In terms of the “open space” assessment program, the POCD recommends that Orange continue this program and consider extending eligibility to land which is residentially zoned and in excess of 5 acres (but only for that portion of the property in excess of the minimum lot area requirement. This can be accomplished by adopting the above policy at a Town Meeting.

The POCD also recommends that Orange consider setting the assessment values for PA-490 property as low as possible.

Preserve Undeveloped Land		See inside back cover for legend	
Policies	Leader	Partners	
1. Continue to encourage the retention of undeveloped land.	CC	BOS, TPZ, BOF	
2. Continue with the PA-490 “farm” assessment and “forest” assessment programs.	Staff		
3. Consider using the lowest possible land values for the PA-490 program (farm, forest, open space) in order to preserve undeveloped land.	Staff	BOS, BOF, CC	
Initial Tasks			
4. Consider adopting a revised PA-490 open space assessment policy at Town Meeting to offer a reduced local tax assessment for oversize residential parcels.	BOS	BOF, CC, TPZ	

Protect Scenic Resources

Orange has a number of scenic areas and resources that help define the character of the Town and enhance the overall quality of life. Efforts will be directed to preserving stone walls, barns, farm-type fences, and other “rural” features that contribute to community character where appropriate. Threats to scenic areas and resources include insensitive siting of development, installation of privacy fences, and indiscriminate tree cutting.

While roadways are only about 10 percent of Orange’s land area, they can have a disproportionate impact on the perception of community character. For this reason, Orange might consider:

- adopting a scenic road ordinance to preserve the character of existing scenic roads, and
- amending current road construction standards to ensure that new roads become the scenic roads of the future.

Protect Scenic Resources	See inside back cover for legend	
	Leader	Partners
Policies		
1. Seek to preserve and protect scenic areas and resources.	CC	TPZ, PW, TC
2. When development will affect scenic resources, seek to preserve or relocate scenic resources such as stone walls, barns, fences, and other scenic resources that are visible from public streets.	TPZ	CC
3. Maintain the low intensity nature of the Route 34 corridor.	TPZ	
Initial Tasks		
4. Adopt regulations to consider scenic areas and resources as part of any land use application.	TPZ	
5. Consider adopting a scenic road ordinance and/or designating scenic roads.	BOS	CC, TPZ
6. Review current road construction standards to ensure that roads in new subdivisions become the scenic roads of the future.	TPZ	PW
7. Consider establishing an “adopt-a-road” program with local organizations in order to promote litter control and enhance community character.	OEDC	CC

Route 34

The fact that Route 34 is a relatively undeveloped road corridor (compared to Derby and West Haven) is a point of local pride.

The community has indicated it would like to see the scenic nature of Route 34 maintained in order to maintain community character along this busy thoroughfare.

Scenic Roads

Some of the roads in Orange which are recognized as particularly scenic roads include:

- Meetinghouse Road
- Lambert Road

National Register of Historic Places

National Register Districts

- Orange Center Historic District

National Register Places

- William Andrew House
- Henry Miller House
- Col.. Asa Platt House

State Register of Historic Places

Properties on the National Register are also automatically listed on the State Register of Historic Places.

Local Historic Districts

- Orange Center

Protect Historic Resources

Orange contains a number of historic resources and such resources contribute to the overall character of the community. Some of the main resources are listed in the sidebar. Overall, it appears there are appropriate provisions in place to protect historic resources.

The main organizations involved with historic preservation include the Orange Historical Society (a non-government organization), the Orange Center Historic District Commission, and the Municipal Historian.

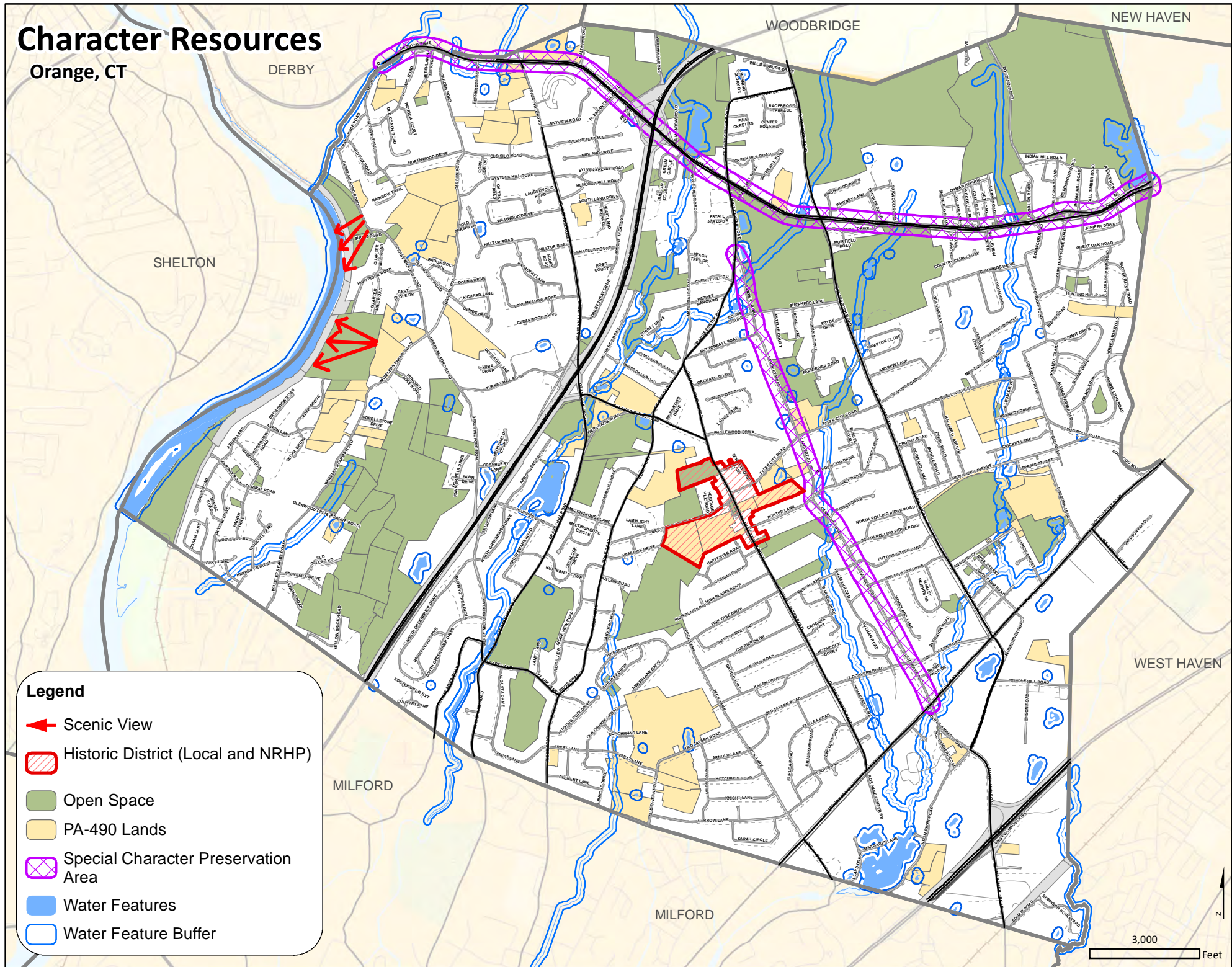
The most effective means of protecting historic resources include:

1. Responsible ownership or sensitive stewardship,
2. Local historic districts with regulatory boards,
3. Village districts overseen by a Town Plan and Zoning Commission,
4. Use of historic overlay zones and adaptive re-use provisions in zoning regulations.
5. Adoption of tax abatement programs.
6. Designation on the State or National Register of Historic Places.








Protect Historic Resources		See inside back cover for legend	
Policies	Leader	Partners	
1. Continue to identify historical and archeological resources.	OHS	MH	
2. Continue to protect historical and archeological resources.	HDC	TPZ	
3. Continue to promote and support sensitive ownership of historical and archeological resources.	OHS	HDC	
4. Promote educational programs about historic and archeological resources.	OHS	MH	
5. Increase awareness of historic / archeological resources through appropriate signage and displays.	OHS		
Initial Tasks			
6. If desired in the future, consider adopting a demolition delay ordinance that will provide time to explore and review alternatives to demolition (for structures of a certain age).	BOS		

Character Resources

Orange, CT



Legend

-  Scenic View
-  Historic District (Local and NRHP)
-  Open Space
-  PA-490 Lands
-  Special Character Preservation Area
-  Water Features
-  Water Feature Buffer

3,000 Feet



Design Review

Orange residents have indicated they want new development to enhance local architectural style and character rather than detract from or dilute from the overall character which makes Orange special.

Yet, regulating architectural design can be challenging because design can be a subjective issue. What may qualify as "good design" to some, others may see as visually incompatible or inappropriate.

On the other hand, a well-developed design review process can foster an improved and deeper understanding of community design and mitigate the subjective nature of reviewing architectural design.

The design review process would generally be utilized for development of:

- multi-family uses,
- business uses,
- institutional uses,
- special permit uses, and
- other uses that could have a significant overall impact on the community.

Promote Architectural Character

Architectural design also influences the character of a community. Buildings that complement each other and are consistent with local architectural styles will enhance community character. However, when buildings do not reflect the established scale and style of local architecture they negatively affect community character.

Some communities have established a formal design review process with accompanying standards to help ensure that new and existing architectural styles are compatible.

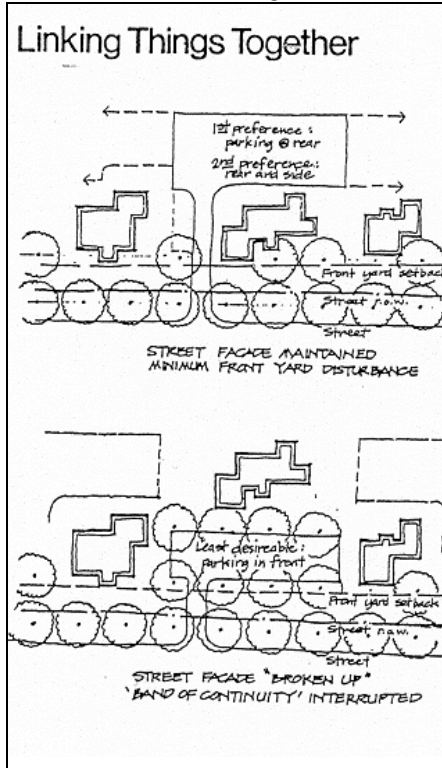
If Orange wanted to address architectural character, the Town Plan and Zoning Commission could move beyond the current informal design review process and establish a design review board with members appointed from the community at large. This board would review plans for commercial uses and special permits in residential zones submitted to it by the Commission. The design review board would then provide formal comments to the Commission about how to improve the design of buildings and sites.

Since the design review comments occur during the time period between receipt of an application and action by the Commission, it should not extend the decision timetable for an applicant. In addition, since the comments from the design review board are advisory to the Town Plan and Zoning Commission, the Commission could choose to not impose conditions that it considered impractical or unrealistic.

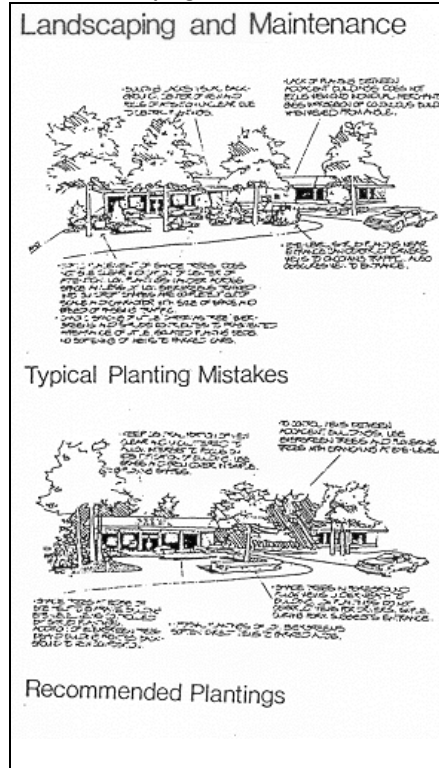
Promote Architectural Character		See inside back cover for legend	
Policies		Leader	Partners
1. Promote architectural character and community design as part of new development.		TPZ	DRB
Initial Tasks			
2. Consider formalizing the design review process for commercial uses and for special permit uses in residential zones, including establishing a separate design review board, if appropriate.		TPZ	
3. Encourage any design review board to establish and maintain design guidelines to advise applicants of desirable and undesirable architectural treatments of buildings and sites.		DRB	TPZ

Some Sample Design Guidelines From Other Communities

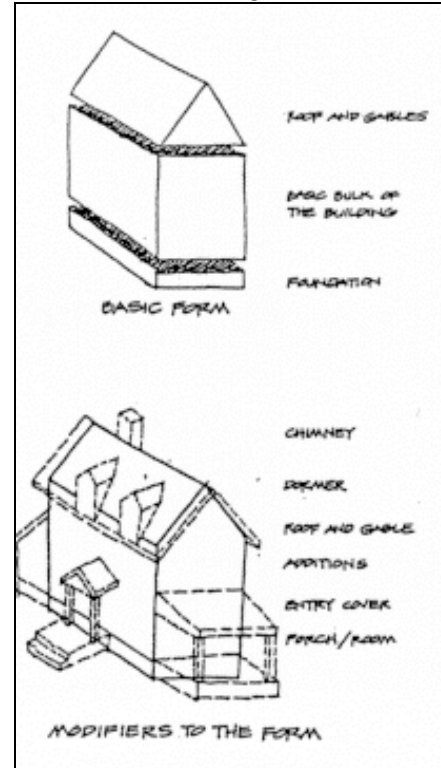
Interconnecting Sites



Landscaping Recommendations



Use of Building Modifiers



Design Review Processes

There are a number of communities in Connecticut with a design review process of some type.

The procedures used by these communities might provide some guidance for Orange:

- Simsbury
- Greenwich
- Litchfield
- Madison
- Southbury

Promote Community Spirit

Community spirit is another indefinable, but indispensable community element that contributes to the overall character of Orange. Spirit is the feeling residents have about their community and how it projects to the outside world. It is about community pride and positive impressions and fostering positive actions and results within the community. It is all about enhancing the overall quality of life in Orange.

Promote Community Spirit	See inside back cover for legend	
Policies	Leader	Partners
1. Continue to encourage community and civic activities that promote and enhance community spirit.	Town	
2. Continue to support local parades, Orange Country Fair, and other community events.	Town	
3. Maintain a community calendar to inform people of upcoming events.	Town	
4. Continue to use Orange Government Access Television (OGAT) to keep residents informed about community affairs.	Town	
5. Continue and enhance programs to recruit volunteers.	Town	
Initial Tasks		
6. Recognize local volunteers through a picnic, a “volunteer of the year designation” or other means.	BOS	

Memorial Day Parade



Orange Country Fair



Orange Country Fair



Community Concert



SUSTAINABILITY & RESILIENCY

7

Overview

For the purposes of this Plan, “sustainability” refers to the philosophy of encouraging activities that allow present generations to meet their needs without compromising the ability of future generations to meet their needs. The term “resiliency” refers to the community’s ability to readily recover from sudden changes or adversity.

Much of Orange was built during a time when it was assumed that resources to support growth and development patterns were unconstrained and that major changes were unlikely to occur and that the environment would support such growth. While this still may be the case, it seems prudent to evaluate alternative scenarios and the possible implications of those scenarios. 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.

Sustainability and resiliency are newer issues for Orange to consider as part of the Plan ...

Sustainability



Resiliency



Promote Sustainability

Promote Energy Conservation / Sustainability - Energy availability and cost are likely to be more significant issues in Orange in the future. This has financial implications for the Town and for all its residents and businesses.

To help be a leader in this effort, the Town will consider preparing and implementing a “sustainability plan”. This could be prepared by the Clean Energy Task Force or a similar organization which could evaluate alternative approaches (space heating, electrical consumption, electrical generation, vehicles) and make recommendations to reduce energy usage, increase reliability, and save money.

Some of the key issues to consider might include:

- Preparing an energy conservation action plan to reduce operating costs, reduce lifecycle costs, and lower the carbon footprint of the Town / school buildings.
- Reviewing municipal facilities for energy conservation opportunities (lighting, controls, equipment, building envelope, etc.).
- Investigating opportunities for energy generation (solar, wind, fuel cell, etc.) as a way to lower energy costs and enhance resiliency.
- Identifying ways to involve the community in implementing energy conservation practices.
- Initiating transition to renewable energy for town vehicles (natural gas, electric, biofuels, and hybrids).

Promote Water Conservation - The United States has one of the highest rates of personal water consumption in the world (100 gallons of water per person per day for domestic purposes). Simple changes to some everyday activities can reduce most people’s domestic water use by 10% or more. Orange will encourage water conservation especially since some areas of the community rely on groundwater for domestic use.

Promote Waste Reduction / Recycling - The overall waste stream and recycling is another potential area for investigation and education in Orange. Reducing the waste stream and promoting recycling will be promoted.

Educate Residents About Sustainability Concepts - Efforts will be devoted towards educating residents and school children about sustainability concepts.

Promote Sustainability		See inside back cover for legend	
Policies	Leader	Partners	
1. Promote energy conservation / sustainability.	CC	BOS, BOF, PW	
2. Promote water conservation.	CC	BOS, BOF, PW	
3. Promote waste reduction / recycling.	CC	BOS, BOF, PW	
4. Educate residents about sustainability concepts.	CC	PW	

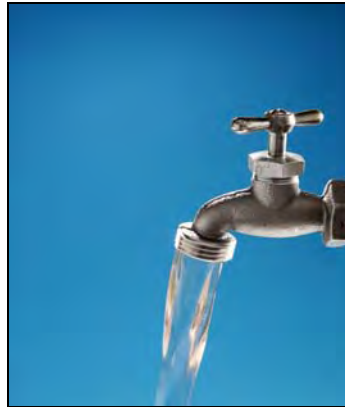
Residential Solar Installation



Rooftop Solar Installation



Water Conservation



Recycling



Recent Major Storms

- Hurricane Irene in 2011,
- an unusual October 2011 snowstorm
- Storm Sandy in 2012
- winter storm Charlotte in 2013

Promote Resiliency

One of the lessons for Orange from some recent major storms was the value of emergency response capability and emergency preparedness planning. In some of these situations, electrical power was lost to sections of the community and some residents were without heat or water. The Town of Orange activated its emergency response procedures and was able to have emergency shelters, bottled water, and other supplies and services for people that needed it.

Orange will continue to review and improve hazard mitigation plans for recurring events, such as flooding. For example, Orange will continue to assess the vulnerability of public and private infrastructure (e.g., utilities, transportation, structures) to climate change and increased frequency of extreme storms and develop adaptation strategies. This is a good example of a hazard mitigation approach which looks at how Orange might prepare for recurring events or respond to events when they occur.

Orange will also continue to review and improve emergency preparedness plans (single events) in order to be able to respond to these events in the future. Evaluating possible scenarios and preparing for unknown events before they occur is a useful exercise for a community. Such approaches help the community respond in a timely manner with the appropriate tools and resources.

This can also include protecting electrical lines by placing them underground as opportunities present themselves. This could also include establishing “smart grids” to identify the location of circuit interruptions and other problems as soon as possible.

Promote Resiliency	See inside back cover for legend	
Policies	Leader	Partners
1. Continue to review and improve hazard mitigation plans for recurring events, such as flooding.	EP	PW, PD, FD
2. Continue to review and improve emergency preparedness plans.	EMAC	PW, PD, FD
Initial Tasks		
3. Assess the vulnerability of infrastructure (e.g., utilities, transportation, structures) to climate change and increased frequency of extreme storms and develop adaptation strategies.	PW	PD, FD

COMMUNITY STRUCTURE

8

Overview

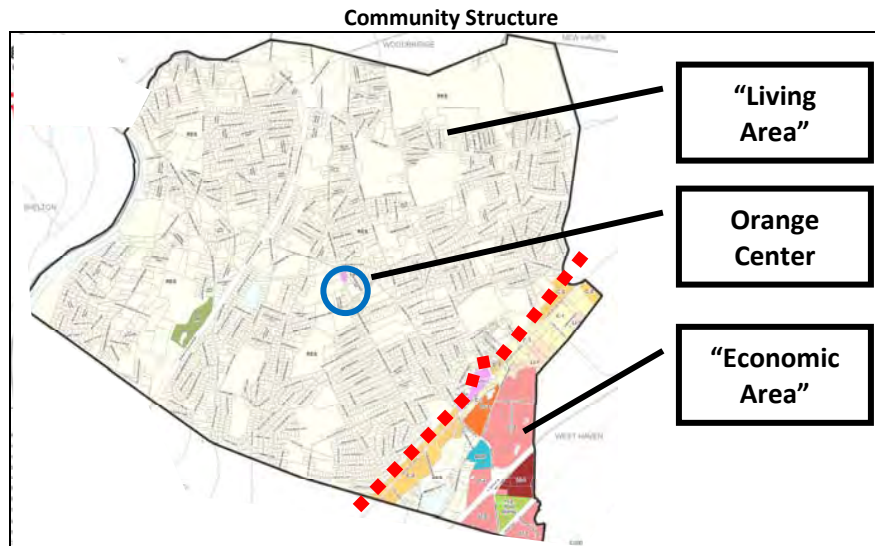
Community structure (how land uses are organized in Orange) is an important consideration in the Plan because it sets the stage for many other planning discussions.

Utilize Structure To Enhance Character

For many years, Orange’s overall land use philosophy has been predicated on a “living area” in the northern parts and an “economic area” in the southern parts of Orange. This approach has remained intact for many years and has guided the overall development of the community. It has resulted in stable and attractive residential neighborhoods separated from business areas which provide jobs, goods and services, and tax base and support the community.

It is the intention of the Plan that this overall philosophy and structure be continued.

Community structure is an important guide for land use regulations and decisions ...



Elements of structure can contribute to community character since people react positively to areas which have a strong “sense of place” or where they feel they comprehend how a place is organized. Orange will try to preserve and enhance the elements of structure which can enhance character and avoid or minimize the elements of structure which can detract from character.

Elements Which Can Contribute To Character	
Element	Description
Nodes / Villages	Identifiable focal points or places with distinctive characteristics (such as Orange Center).
Clusters / Campus	Identifiable areas (such as Yale West and UNH) identifiable by use, location, character, or style.
Greenbelts	Greenways, trails, streambelts and other linear elements that provide overall context to the community.
Gateways	Places providing a sense of entry or arrival.

Elements Which Can Detract From Character	
Element	Description
Strip Development Patterns	Linear areas with automobile-oriented development patterns, especially commercial.
Sprawl Development Patterns	Large areas with little variation in style or character.

Utilize Structure To Enhance Character		See inside back cover for legend	
Policies		Leader	Partners
1. Continue Orange’s historic structure with a “living area” and an “economic area”.		TPZ	
2. Encourage elements that enhance community character (nodes, clusters, campuses, greenbelts, gateways, scenic resources, and scenic roads).		TPZ	DRB
3. Discourage elements that detract from community character (strip development, sprawl development, and "character-less" roads").		TPZ	DRB
4. Maintain effective buffers / transitions between different land uses.		TPZ	DRB

Maintain The Ambience Of Orange Center

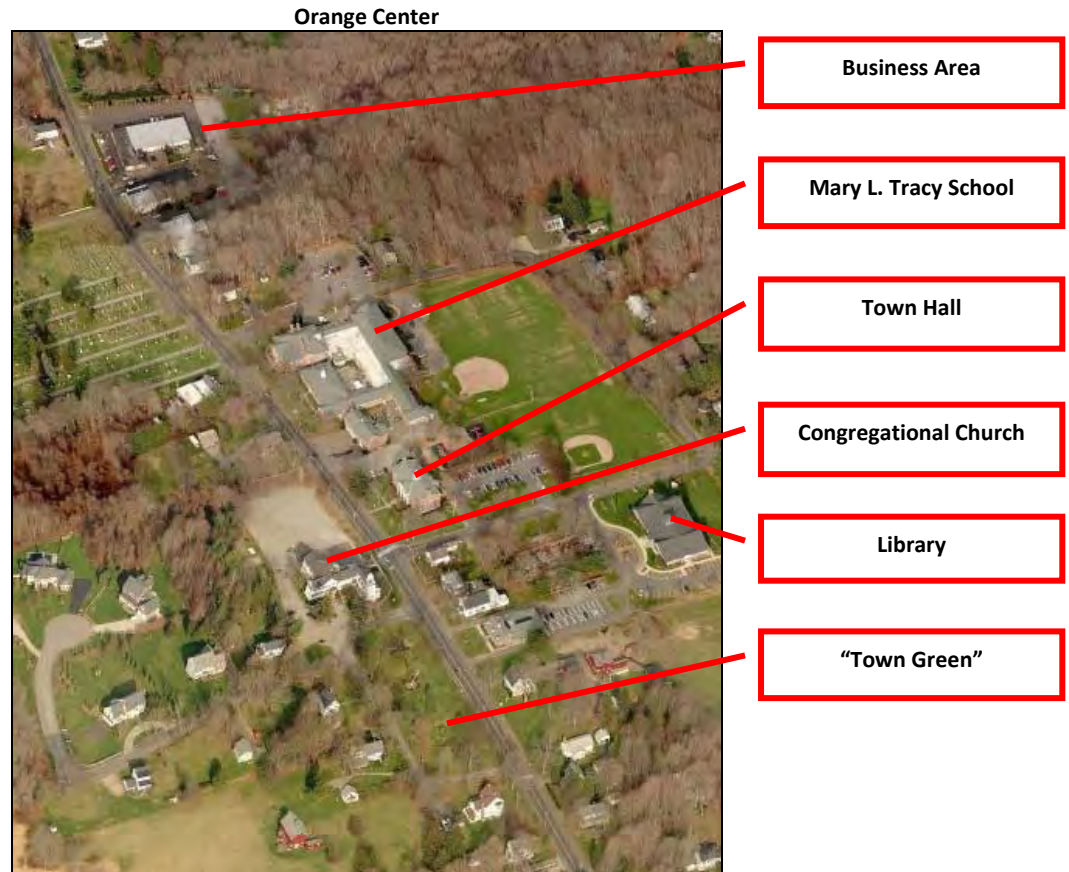
Orange Center is the historic focal point of the community. It contains the Congregational Church, the Town Green, the Town Hall, a school, the library, and a small business area. It is where community parades are held. The POCD recommends that the distinctive character, landscape and historic value of this area be maintained.

A local historic district does exist in this area at present (see the map on page 53) but it does not include the business-zoned areas which are a key part of the area.

A tool which is available to help preserve the character of this area is a “village district” as authorized by Section 8-2j of the Connecticut General Statutes. A “village district” allows the Town Plan and Zoning Commission to have greater control over the design of future development in this area and to regulate:

- the design and placement of buildings,
- the maintenance of public views,
- the design, paving materials and placement of public roadways, and
- other elements that the Commission deems appropriate to maintain and protect the character of the village district.

The Town Plan and Zoning Commission will consider establishing a “village district” in the business area of Orange Center or other areas outside of the local historic district. It is anticipated the Commission will continue to rely on the local Historic District Commission for activities within the existing historic district.



Maintain The Ambience Of Orange Center		See inside back cover for legend	
Policies	Leader	Partners	
1. Maintain the overall ambience of Orange Center as a rural hamlet and a focal point for many civic activities.	TPZ	BOS	
2. Ensure that any new development in Orange Center is of high quality and consistent with the existing character in terms of building design, site layout, signs, and lighting.	TPZ	DRB	
Initial Tasks	Leader	Partners	
3. Consider establishment of a “village district” overlay zone in the Orange Center area in order to be able to protect the overall character of this area.	TPZ	DRB	

Town Green



Municipal Plaque



Community Parade



HOUSING & RESIDENTIAL DEVELOPMENT

9

Overview

Housing and residential development are important issues in the Plan. Approximately 80 percent of Orange is zoned for residential purposes and what happens in residential areas will have an impact on the overall community. Residents are committed to preserving and enhancing the character of residential neighborhoods. At the same time, people are living longer than ever before and older people – some who have been Orange residents for decades – may want housing options which have not traditionally been part of Orange’s housing portfolio.

Housing issues for consideration include:

- *Protecting existing neighborhoods,*
- *Guiding future development, and*
- *Addressing future housing needs.*

Single Family



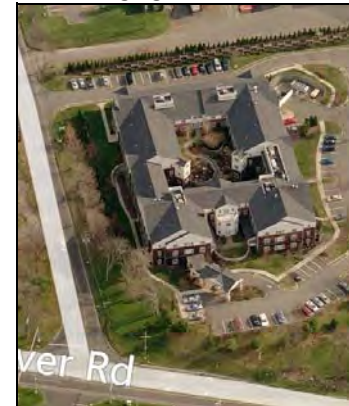
Single Family



Multi-Family



Congregate / Assisted



Traffic Calming

Since concern has been expressed that through traffic is negatively affecting the quality of life in some residential areas, the Transportation section of the POCD (page 116) specifically recommends that “traffic calming” measures be considered in such areas.

Protect Residential Neighborhoods

Orange is primarily a residential community. Approximately 80 percent of all land in the community is zoned for residential purposes and there are more than 5,000 households that call Orange their home.

Over the years, Orange has maintained a policy of separating the “living area” from the “economic area” and this philosophy has helped to foster strong residential neighborhoods. Orange will continue this policy in order to maintain the quality, livability and character of the community.

The zoning regulations seem appropriate for protecting residential neighborhoods and managing development on individual parcels in terms of the uses permitted and the dimensional standards that apply.

Protect Residential Neighborhoods		See inside back cover for legend	
Policies		Leader	Partners
1. Continue to maintain the quality, livability and character of the community.		TPZ	Town
2. Maintain regulations requiring effective buffers / transitions between residential and non-residential uses.		TPZ	

Multi-Family As Transitional Use



Transition By Planted Buffer



Residential Density Map

DERBY

Orange, CT

WOODBIDGE







NEW HAVEN

SHELTON

MILFORD

WEST HAVEN

Legend

-  Single-Family Residential Areas, Generally with a Density of 0.70 Units per Acre or Less
-  Existing Multi-Family Uses
-  Possible Housing Diversity Areas - Areas Which May Have the Potential to Help Diversify Orange's Housing Portfolio
-  Existing Open Space Areas
-  Non-Residential Zones
-  Watercourses

3,000 Feet



**Single Family
Development Patterns**

Conventional Design

A parcel of land that is divided into residential lots with little or no open space

Conservation Design

A parcel of land divided into roughly the same number of lots that are smaller in area than a conventional development and the remaining area is preserved or dedicated as open space.

Encourage Conservation Design Of Subdivisions

Orange is not yet fully developed and there are some land parcels in Orange which could be subdivided into lots in the future. How this occurs could be important to preserving and enhancing the overall character of the community.

Orange will consider encouraging “conservation design” of subdivisions (rather than “conventional design”) since a “conservation design” can help:

- Preserve more open space,
- Protect community character by retaining farm land, scenic views, scenic streetscapes, and
- Preserve important resource areas (wetlands, watercourses, steep slopes, existing trees, etc.).

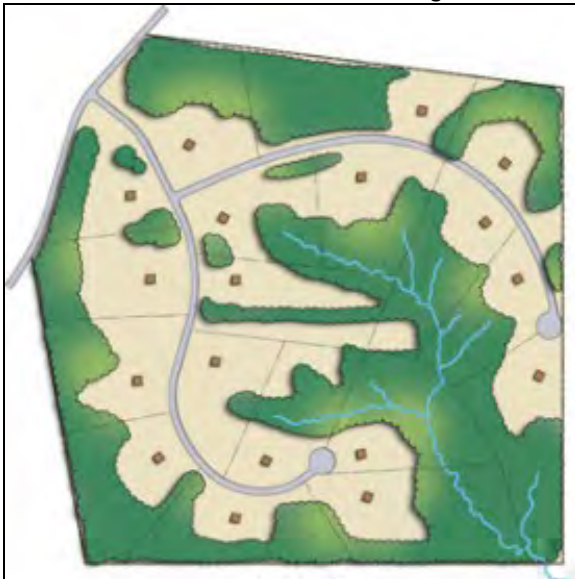
This approach is discussed in the Open Space chapter of the POCD. So that the number of homes is similar to what might result from a conventional approach, the Commission will consider limiting the total number of units on a parcel to a maximum of 0.60 units per acre of developable land (total acreage minus wetlands, watercourses, steep slopes, floodplain, or easements which limit development).

The methodology for determining the density factor could be guided by the following:

Basic Density	60,000 SF lot = 1 lot per 1.38 acres = 0.726 lots per acre	0.726 lots per acre
Minus Allowance For Roads	Assuming 50 foot right-of-way and 150’ minimum frontage results in about 6 percent of the land area being devoted to roads and about 94 percent can be devoted to parcels	Reduces density to 0.68 lots per acre
Minus Allowance For Open Space Requirement	Orange has no specific requirement for open space set-aside at the time of development so 100 percent can be devoted to lots	Density unchanged at 0.68 lots per acre
Minus Allowance For Configuration Loss	Experience has shown that parcels are not optimally configured for dimensional requirements and there is an efficiency loss of 10 percent to 20 percent	Reduces density to 0.55 to 0.61 lots per acre Rounded to 0.60 lots per acre

Encourage Conservation Design Of Subdivisions		See inside back cover for legend	
Policies	Leader	Partners	
1. Encourage conservation design of future subdivisions as a way to help preserve open space and important features when development occurs	TPZ	CC	
Initial Tasks	Leader	Partners	
2. Adopt a zoning regulation to permit conservation design subdivisions.	TPZ		

Conventional Subdivision Design



Conservation Subdivision Design



Consider Ways To Help Address The Housing Needs Of An Aging Population

Population projections indicate that Orange, like many other communities, will experience a marked rise in the number of older residents in the future. This is happening for two reasons:

- The overall life expectancy is increasing, and
- The “baby boom” generation (people born between about 1945 and 1965) is now reaching older age groups.

What this means is that a larger number of Orange households will be affected by the issues that often face older residents and this may require new programs or new ways of thinking.

While some residents will continue to live in their current residence, other people will seek housing options for:

- Health reasons – people may no longer be able to maintain their home (snow clearing, lawn mowing, leaf raking, etc.) or may experience a health change that affects their independence or mobility,
- Economic reasons – people may not have the financial resources to stay in their current home if their lifespan exceeds their income and savings,
- Lifestyle reasons – people may choose to relocate to housing which might offer common maintenance, lifestyle amenities (pool, golf, etc.), or other benefits, and/or
- Combination - a combination of reasons.

Cleaning Gutters



Temporary Handicapped Ramp



Universal Design



Possible Policy Options For Addressing The Housing Needs Of An Aging Population

Category	Housing Options	Current Status	Possible Policy Options
Remain in Current Home	1. Remain in current home and modify to meet needs.	Zoning regulations require setbacks and limit coverage and this could inhibit modifications to address changing needs.	By Special Permit, consider allowing modifications to homes to accommodate renovations for an aging population (handicapped ramps, caregiver services, first floor additions, energy efficiency, etc.)
	2. Remain in current home with no use of Town services.	No restrictions	Continue current policies
	3. Remain in current home with use of local senior programs.	No restrictions	Consider enhancing services for senior citizens (meals-on-wheels, dial-a-ride, etc.)
	4. Remain in current home with elderly tax relief.	No restrictions	Consider enhancing elderly tax relief programs.
Accessory Housing Units	5. Remain in home with accessory unit for caregiver, and/or income.	Accessory units permitted by Special Permit	Continue current policies
	6. Move in with family in their home or accessory unit.	Accessory units permitted by Special Permit	Continue current policies
Multi-Family Housing	7. Move to a market rate condominium or rental housing.	Only a modest number of units available in Orange (not permitted)	Consider allowing where consistent with soil types, terrain, infrastructure capacity, and overall community structure.
	8. Move to an age-restricted market-rate housing development.	Have existing development with 142 units (sale prices may not be affordable to typical Orange resident)	Consider allowing where consistent with soil types, terrain, infrastructure capacity, and overall community structure.
	9. Move to income-limited elderly housing development.	Have existing development with 45 units (has 8 year waiting period)	Consider ways of providing for more units to meet present and future community needs
Institutional Facility With Services	10. Move to facility providing some services: <ul style="list-style-type: none"> • congregate / assisted living • nursing / convalescent home 	Have several facilities (Silverbrook, Maplewood, Orange Healthcare Center) but currently not permitted by regulations	Consider allowing such facilities in appropriate locations.

Consider the following:

- Silverbrook Estates (Red Cedar Road) provides 45 units of housing for persons of limited income and aged 62 and over. There is strong demand for units in the complex but the waiting list is estimated to be seven years. Even though Orange residents may need housing immediately, the wait period may mean that such housing is effectively unavailable.
- Fieldstone Village – (Grassy Hill Road at Route 34) -is a 142 unit community for persons aged 55 and over. The units are all market rate and the typical units are now selling for over \$400,000. While the design and amenities are attractive, the units are not affordable for a large number of Orange residents.
- There appear to be several “assisted living” facilities in Orange (such as “Maplewood” on Indian River Road at Prindle Hill and “Orange Healthcare” on Boston Post Road near Smith Farm Road) but additional facilities do not appear to be permitted by the regulations.

Orange will consider ways to explore housing alternatives for an aging population.

Consider Ways To Help Address The Housing Needs Of An Aging Population		See inside back cover for legend	
Policies	Leader	Partners	
1. Consider allowing modifications to homes to accommodate renovations for an aging population.	TPZ		
2. Consider enhancing services and activities for senior citizens (meals-on-wheels, dial-a-ride, etc.).	CSC	BOS	
3. Consider enhancing elderly tax relief programs.	BOS	BOF, CSC	
4. Maintain accessory apartment regulations and modify, if appropriate.	TPZ		
5. Consider allowing for multi-family development with features appropriate for all ages where consistent with soil types, terrain, infrastructure capacity, and overall community structure.	TPZ		
6. Consider ways of providing for more income limited elderly housing units to meet present and future community needs.	Town	CSC, BOS	
7. Clarify where and how residential facilities with services (assisted living, congregate care, etc.) might be permitted.	TPZ		

Consider Ways To Provide For Housing That Is More Affordable

The desirability of Orange has resulted in a housing stock that is becoming more expensive over time. While this may be perceived as beneficial to existing property owners, it is also resulting in the exclusion of people who have helped, or can help, Orange to be a more diverse community.

A lack of affordable housing can affect economic and social development of a community. Some young families may find it difficult to afford current Orange housing. Employees of Orange businesses and of the Town may find it difficult to afford to live in town. In other cases, reduction in income (retirement or job status changes) can make it difficult for people to afford to stay in Orange. Cultural and social diversity in the community is affected.

Orange residents have expressed an interest in finding ways to integrate more affordable housing into the existing fabric of the community to provide housing opportunities.

Providing for housing in Orange which is more affordable will allow us to:

- Address the housing needs of an aging population.
- Provide housing choices for existing residents so that they do not have to move elsewhere if their circumstances change.
- Offer more housing choices for younger people.
- Offer more housing choices for single people.
- Offer more housing choices for moderate income people who work in Orange.

Avalon



Brookside



Silverbrook



Housing Needs

About 85 percent of the housing units in Orange are single-family, detached houses. While the “American dream” still includes a home on a good-sized private lot, such housing does not meet everyone’s needs.

The Plan recognizes that there is a need for diversification of housing types.

Statutory Reference

“The Plan shall make provision for the development of housing opportunities, including opportunities for multifamily dwellings consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region.”

“The Plan shall promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs.”

There may also be some legal and practical reasons why Orange might want to consider diversifying its housing portfolio to include “affordable housing.” Without a diverse housing stock, Orange is subject to the “affordable housing appeals procedure.”

In 1989, Connecticut adopted the “Affordable Housing Appeals Procedure” (codified as Section 8-30g of the Connecticut General Statutes) which affects any municipality where less than ten percent of the housing stock is considered affordable (as defined in the statute). As of 2014, about 1.10 percent of the housing stock in Orange met the State criteria and so Orange is subject to the statute.

The following plain language is intended to summarize the statutory provisions:

- When a developer proposes a “set-aside development”, the development is reviewed on the basis of its impact on the public health and safety rather than strict compliance with the local zoning regulations.
- Should a set-aside development be denied or be appealed, the development is presumed to be in the public interest and the “burden of proof” that it is not appropriate falls to the TPZ and/or the person who appeals.
- If a set-aside development is approved with conditions which affect its affordability, the proponent may appeal and the “burden of proof” to defend the condition falls to the TPZ.

Affordable housing appeals are heard by a special court and, since 1989, the majority of appeals have been decided in favor of the affordable housing developments.

During preparation of the POCD, however, it was learned that some affordable housing units in Orange have not been included in the State database and so Orange may not be getting credit for units which have been created. If Orange were to get credits for these units, it is possible that Orange would be eligible for a four-year moratorium as per CGS Section 8-30g (k).

	# Units	# Affordable	Elderly
1. Silverbrook Phase 1 (Town Congregate Care) - Red Cedar Road	45	45	45
2. Spruce Manor - Peck Lane	32	8	32
3. Williamsburg Chase - Silverbrook Road	22	6	0
4. Prindle Hill Terrace - Indian River Road/Prindle Hill Road	40	8	40
5. Brookside - South Lambert Road	15	4	0
6. Avalon Orange - Prindle Hill Road	168	34	0
Total Number Of Units	322	105	117

If Orange is to be able to control its destiny and provide for development it feels is in character with its surroundings, then it should consider being proactive in terms of addressing affordable housing. It could help the community address housing needs in places and with designs it feels is appropriate.

Consider Ways To Provide For Housing That Is More Affordable		See inside back cover for legend	
Policies	Leader	Partners	
1. Seek ways to provide for a more diverse housing stock including: <ul style="list-style-type: none"> • state and/or federal funding programs, • partnerships with private developers, • “inclusionary zoning” or “incentive housing zone” provisions, • Other techniques, as appropriate. 	Town		
2. Require that any affordable unit in Orange be deed-restricted as affordable in perpetuity.	TPZ		
Initial Tasks	Leader	Partners	
3. Determine if Orange has registered all “affordable units” with the Department of Housing.	Staff		
4. If eligible, apply for an “affordable housing” moratorium as provided in CGS Section 8-30g.	Staff		
5. Consider modifying the accessory apartment regulations to require that such units be deed-restricted to rent at affordable prices (see CGS 8-30g (k)).	TPZ		
6. Consider adopting a model “Housing Affordability Plan” to be used in conjunction with any affordable housing development in Orange so that income qualification and occupancy changes are managed effectively.	Town		

BUSINESS & ECONOMIC DEVELOPMENT

10

Overview

In terms of the amount of business development, Orange has benefitted greatly from its location, transportation infrastructure, zoning, and the efforts of many people and organizations over the years. As a result:

- There are over 9,000 jobs in Orange according to the Connecticut Department of Labor,
- Orange residents have access to a wide variety of goods and services (there were over \$570 million dollars of retail sales in Orange in 2007), and
- About 21 percent of Orange's tax base is made up of business uses and this helps support a variety of municipal services and programs.

Business issues for consideration include:

- *Promoting business development, and*
- *Promoting redevelopment of Route 1.*

United Illuminating



PEZ Candy Visitor Center



LL Bean Store



Marriott Courtyard



Continue To Promote Business Development

Orange has been very fortunate in being able to attract the business development it has. While part of the past success relates to Orange’s location, transportation infrastructure and zoning, a lot of it has to do with the people who have helped make it happen.

The Orange Economic Development Corporation (OEDC) is a private, not-for-profit organization dedicated to fostering economic development in Orange. The OEDC works with the Town, realtors, State agencies and others to promote business development and encourage economic growth. The OEDC:

- helped push for the extension of Edison Road to connect from Marsh Hill Road to Prindle Hill Road and improve traffic circulation in this area,
- publishes a magazine (“Orange Life”) highlighting local businesses and activities which is delivered free to local households,
- works to support existing businesses and attract new businesses.

The Town’s Economic Development Commission participates in many of these efforts and undertakes additional efforts to enhance the Town’s ability to attract retail, commercial, and industrial businesses including:

- a monthly electronic newsletter, and
- annual activities such as a community and business exposition and an annual broker’s tour.

Orange will continue to promote a vibrant economic base and continue to encourage well-planned development in the “economic area.”

Continue To Promote Business Development		See inside back cover for legend	
Policies	Leader	Partners	
1. Continue to promote a vibrant economic base in Orange.	Town	OEDC	
2. Continue to encourage well-planned development in the “economic area.”	TPZ	EDC, OEDC, DRB	
3. Continue to support the efforts of the Orange Economic Development Corporation and the Town’s Economic Development Commission.	Town		

Promote Redevelopment On Route 1

Over the years, the character of Route 1 has changed:

- Front yard landscaping has been lost due to widening of the road to four and five lanes and with addition of turning lanes,
- Lower maintenance landscaping has, in some cases, turned into “no maintenance” landscaping
- Paved areas have deteriorated
- Some buildings (especially those on smaller lots) have not been upgraded.

At the present time, since there is a strong market for buildings along Route 1, it may not make financial sense for some property owners to renovate because they can get similar rents without investing any additional money in their property. In these kinds of situations, the overall character of the corridor and the community can suffer.

On the other hand, if there was a way to allow for additional floor space, property owners might then be inclined to renovate their properties because the additional floor space could increase their economic return. At the same time, it might be possible to get properties upgraded with more landscaping, renovated facades, and improved parking areas.

It may surprise some people to realize that it is parking requirements, not building coverage limits, which are the greatest limiter of development yield. In fact, in commercial areas, each square foot of building floor area can require one-and-a-half to two square feet of paved area.

Ratio of Parking Area to Building Area



Review of the parking requirements in the Zoning Regulations suggests that it might be possible to reduce the parking standards for several use categories. These are the use categories which are most prevalent along Route 1:

- Shopping centers (4.75 spaces per 1,000 SF)
- Retail stores (4.75 spaces per 1,000 SF)
- Restaurants (16 spaces per 1,000 SF of patron floor area)
- Offices (4 spaces per 1,000 SF)

Information from the Institute of Transportation Engineers (ITE) and observation of parking areas along Route 1 suggest that the parking requirements in Orange may be requiring more spaces than are really needed. Even on the busiest shopping day of the year, Orange residents have observed that there is parking available at local stores.

At the same time as any change to the parking requirements, Orange could also upgrade local regulations to encourage or require the following:

- Front yard landscaping and parking lot landscaping (planted islands),
- Signage modifications (attached or detached),
- Lighting regulations,
- Improved drainage (such as “low impact development”), and
- Access management in terms of interconnecting parking lots and reducing the number of driveways.

Orange could also consider establishing a “design review process” to enhance the overall design of buildings and sites of Route 1 at the time of any redevelopment.

If Orange was to reduce the parking ratios for some of these uses and make some of the other regulation changes, it might create development opportunities for some properties along Route 1 and this could be a win-win situation:

Property Owners	Community
<p style="text-align: center;">More floor area More rental income Higher property value Enhanced character</p>	<p style="text-align: center;">Improved building facades More front yard / parking lot landscaping Improved pavement areas Low impact development (drainage) More tax base Enhanced character</p>

Possible Benefits of Encouraging Redevelopment



Promote Redevelopment On Route 1		See inside back cover for legend	
Policies	Leader	Partners	
1. Promote redevelopment along Route 1.	TPZ	EDC, OEDC	
Initial Tasks	Leader	Partners	
2. Consider reducing the parking requirements for certain uses.	TPZ	EDC, OEDC	
3. Consider modifying site development standards (landscaping, signage, drainage, lighting, etc.) to promote the enhancement of Route 1 whenever new development or redevelopment occurs.	TPZ		
4. Consider establishing a design review process to help guide the redevelopment of Route 1	TPZ	DRB	

Consider Simplifying The Business Zoning Approach

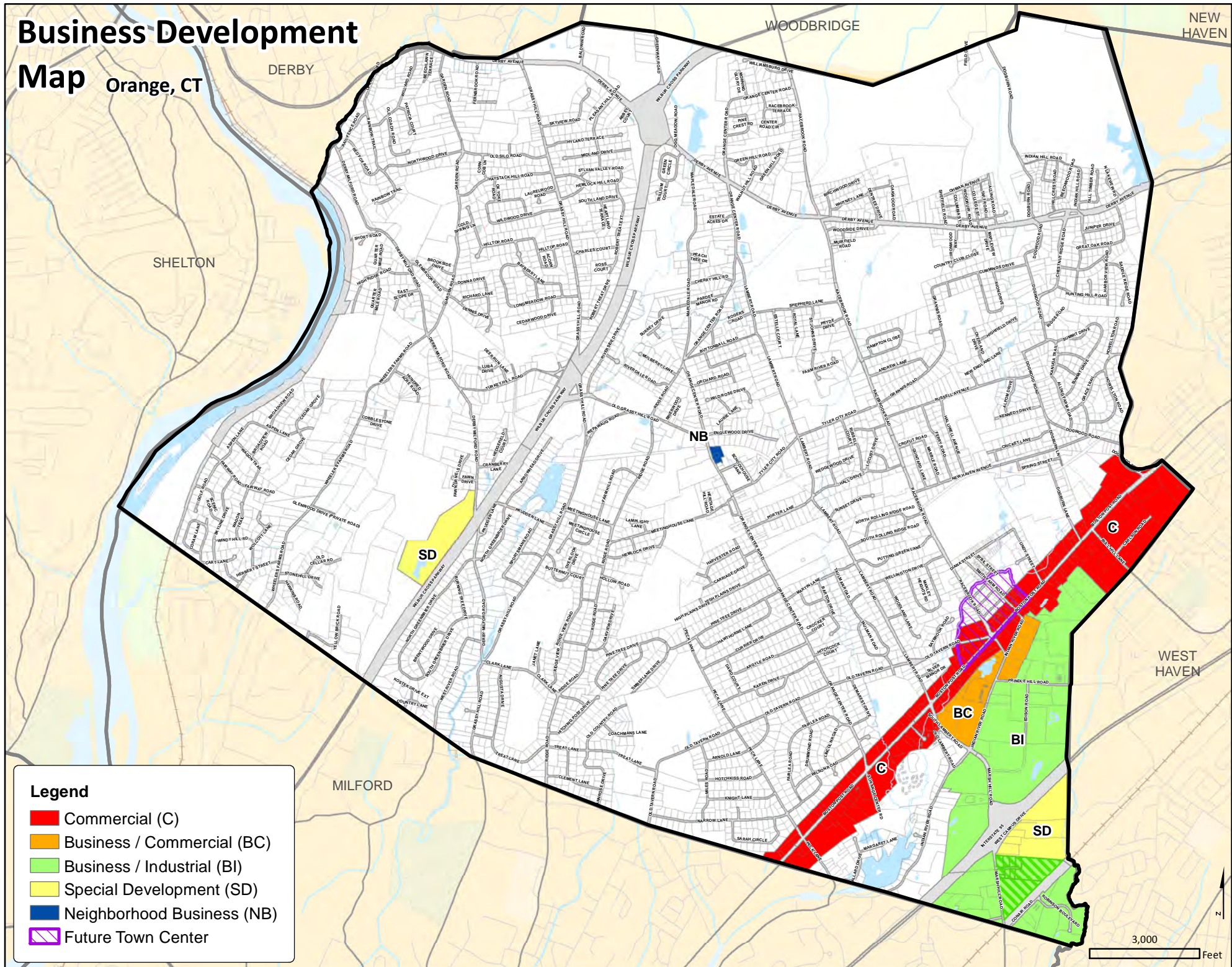
At the present time, Orange has ten business zones in the Zoning Regulations and nine business zoning districts on the zoning map. In many cases there are very subtle distinctions in permitted uses or dimensional standards between the zoning districts. As part of this planning process, the Town Plan and Zoning Commission reviewed the different zoning districts and will consider simplifying the overall zoning scheme to help guide business development.

1. **Neighborhood Business (NB)** - In Orange Center, consider renaming the Local Shopping Center (LSC) district to the Neighborhood Business (NB) district. The extent of the zone and the permitted uses would stay the same.
2. **Commercial (C)** - Along Route 1, consider merging the Commercial-1 (C-1), Commercial-2 (C-2), and Local Shopping Center (LSC) between Lambert Road and Racebrook Road together into a new zone called Commercial (C). Service stations, repair garages, contractor “shops”, and adult use establishments could be regulated by Special Permit.
3. **Business-Industry (BI)** – Consider merging the Light Industrial-1 (LI-1), the Light Industrial-2 (LI-2), and the Business Office Park (BOP) together into a new zone called Business-Industry (BI). It is not intended that the Business-Industry (BI) zone allow for retail or commercial activities.
4. **Business-Commercial (BC)** – Consider renaming the Light Industrial 3 (LI-3) zone as Business Commercial (BC). This zone would continue to allow a mix of light industrial and commercial uses.
5. **Special Development (SD)** – Consider merging the Light Industrial 4 (LI-4) and the Office Park (OP) districts into a Special Development (SD) district – one for the Yale West Campus and the other for UNH Campus. The uses and dimensional standards will be different for these two areas and this could be addressed in the regulation based on whether the use was east of I-95 or west of the Wilbur Cross Parkway.

Consider Simplifying The Business Zoning Approach		See inside back cover for legend	
Initial Tasks	Leader	Partners	
1. Simplify the current business zoning configuration to help guide business development.	TPZ		
2. Incorporate purpose statements in each of the business zoning districts to help clarify their intent.	TPZ		

Business Development Map

Orange, CT



Legend

- Commercial (C)
- Business / Commercial (BC)
- Business / Industrial (BI)
- Special Development (SD)
- Neighborhood Business (NB)
- Future Town Center

Enhance Overall Traffic Circulation

With the completion of the Edison Road connection from Marsh Hill Road to Prindle Hill Road, Orange has made great progress in terms of enhancing traffic circulation in the “economic area.” This achievement has been recommended in Orange Plans since the mid-1960s and its benefits will become apparent.

Still, there are three additional traffic circulation improvements to be considered in the future:

- Seek to add additional turning lanes on Route 1,
- Access management (driveway sharing, interconnected parking lots, and other approaches) on properties along Route 1, and
- Extension of Edison Road to Bull Hill Lane (see the “Transportation” chapter in the POCD).

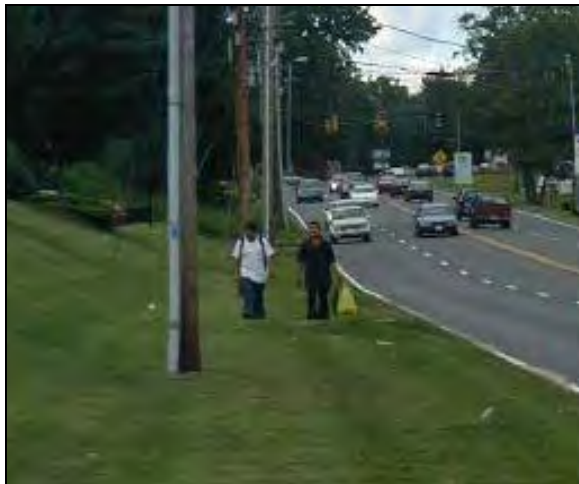
Portions of the eastern end of Route 1 have already been improved to include additional turning lanes. Although the Connecticut Department of Transportation does not currently have funding to continue this work, it should still be a priority.

Enhance Overall Traffic Circulation		See inside back cover for legend	
Policies	Leader	Partners	
1. Continue to seek construction of additional turning lanes along Route 1.	Town	TPZ, PD, EDC, OEDC	
2. Continue to encourage or require driveway sharing, interconnected parking lots, and other access management approaches along Route 1.	TPZ	EDC, OEDC	
3. Seek to continue Edison Road to Bull Hill Lane.	TPZ	EDC, OEDC	

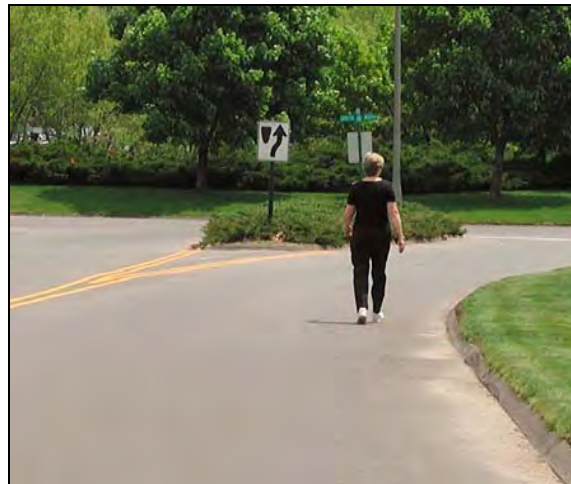
Enhance Pedestrian Circulation Over Time

There is little doubt that Route 1 is not a hospitable place for a pedestrian. Yet, more and more people are interested in walking and Orange could start to make provisions for pedestrians in its business areas. This can include sidewalks or pedestrian walkways which will allow people to walk to destinations or for recreation in a safe way.

**Example From Another Community
Of People Walking On The Shoulder
Due To A Lack Of Sidewalks**



**Example From Another Community
Of Someone Walking In The Roadway
Due To A Lack Of Sidewalks**



Enhance Overall Pedestrian Circulation Over Time		See inside back cover for legend	
Policies	Leader	Partners	
1. Seek ways to enhance pedestrian circulation in business areas.	TPZ	PD	

Pre-Application Review

Notwithstanding any other provision of the general statutes, prior to the submission of an application for use of property under chapters 124, 126, 440 and 541 or any other provision of the general statutes authorizing an authority, commission, department or agency of a municipality to issue a permit or approval for use of such property, such authority, commission, department or agency or authorized agent thereof may separately, jointly, or in any combination, conduct a pre-application review of a proposed project with the applicant at the applicant's request.

Such pre-application review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.

CGS Sec. 7-159b

Consider Managing Non-Conformities

There are several situations in Orange where there are non-conforming business uses in residential and business zones. Some communities have concluded that the approach of “eliminating non-conformities over time” has not proven particularly successful since such uses tend to persist and can deteriorate over time. As a result, some of these communities have adopted language allowing non-conforming uses and/or buildings to be modified over time (by Special Permit) provided that the Commission finds that such modification will make the use more compatible with the neighborhood and the community. The Commission may consider a similar approach in Orange.

Consider Managing Non-Conformities			See inside back cover for legend
Policies	Leader	Partners	
1. Consider whether to provide an opportunity to manage non-conforming uses.	TPZ		

Continue Encouraging Informal Discussions

Section 7-159b of the Connecticut General Statutes allows the Town Plan and Zoning Commission to have an informal discussion with potential applicants to assist them with understanding important policy issues before expending funds to prepare a detailed application. The Town Plan and Zoning Commission recognizes the benefits of informal discussions and will continue to conduct them.

Consider Encouraging Informal Discussions			See inside back cover for legend
Policies	Leader	Partners	
1. Continue encouraging informal discussions.	TPZ		

OTHER DEVELOPMENT STRATEGIES

11

Overview

Orange will also consider strategies to guide other types of development, as appropriate.

Institutional Development



Transit-Oriented Development



Town Center-type Development



Other development strategies for consideration include:

- *Institutional development,*
- *Transit-oriented development, and*
- *Town Center type development.*

Guide Institutional Development

A number of institutional facilities are located in Orange and indications are that the zoning regulations and development standards are effective in ensuring compatibility with their surroundings.

Yale University - West Campus – Yale University acquired the former Bayer Pharmaceutical complex in 2007 and is utilizing the campus as a multi-disciplinary education and research center. The 20 buildings and 1.6 million square feet at Yale West (most of the buildings are in West Haven) are being used for everything from cutting edge scientific projects to educational programs to storing ancient artifacts. A shuttle runs every hour connecting this campus to the main campus in New Haven and the Yale West campus will benefit from the proposed Orange rail station which will be nearby.

The Campus in the Light Industrial 4 (LI-4) zoning district and is the only area so zoned in Orange. The zoning regulations allow for the uses contemplated by Yale. Additional use changes could be contemplated in the future as the campus evolves.

University of New Haven - Orange Campus – The University of New Haven acquired the former Hubbell corporate headquarters complex in 2013 for use as a campus for some of its graduate programs. The 46-acre property currently has 70,000 square feet of floor space and additional space could be added in the future. The existing building overlooks a pond and is visible from the Wilbur Cross Parkway.

The Campus in the Office Park (OP) zoning district and is the only area so zoned in Orange. The zoning regulations allow for the uses located there and will support additional uses in the future. The floor area limitation (20%) and lot coverage limitation (30%) ensure that the campus will remain a lower intensity use due to its location within a residential district.

Churches And Other Institutional Uses – At the present time, churches and other institutional uses are allowed in the Residence district if the Town Plan and Zoning Commission grants a Special Use Permit. The review criteria contained in the zoning regulations (sections 383-136 and 383-137) appear to provide adequate guidance to the Commission at this time.

Guide Institutional Development	See inside back cover for legend	
Policies	Leader	Partners
1. Continue to guide institutional development to enhance the community and its overall quality of life.	TPZ	

Yale West Campus



UNH - Orange Campus



Encourage Transit-Oriented Development

For a number of years, the Connecticut Department of Transportation (CT-DOT) has been investigating the establishment of a commuter train station in Orange along the Metro-North New Haven line. The station would be located in the extreme southern end of Orange near the intersection of Salemme Lane and Marsh Hill Road.

The New Haven line provides daily rail service between New Haven and Grand Central Terminal in New York. A train station in Orange would make Metro-North rail service more convenient for Orange residents and provide ample parking (very near Exit 41 on Interstate 95) to support rail commuters from other communities. A lack of convenient parking has been one of the main challenges along the New Haven line for many years.

Overall there are anticipated to be benefits to the community from development of the train station:

- Convenience to residents,
- Convenience for employees of local businesses,
- Support of local enterprises (such as the Yale West campus)
- Attractive of future businesses,
- Generator of traffic which can help support local businesses

At this time, the proposal being considered by CT-DOT involves private construction of the train station and a parking structure in conjunction with private development of commercial space and about 250 rental apartments. The State would lease the improvements for 40 years and then obtain ownership.

In 2009, a “zoning review study” prepared for the Town Plan and Zoning Commission recommended consideration of high density mixed use development in this location provided that such development was “firmly tied” to the construction of the railroad station. In 2010, the Commission adopted a Transit-Oriented Development District regulation (codified as Section 383-216 of the Zoning Regulations) and established a Transit-Oriented Development District Overlay zone which contained similar language.

Orange will continue to support development of a train station in Orange and promote transit-oriented development in and around the train station provided that it is “firmly tied” to the construction of the railroad station.

Encourage Transit-Oriented Development

See inside back cover for legend

Policies	Leader	Partners
1. Continue to support development of a train station in Orange.	TPZ	Town
2. Continue to promote transit-oriented development in and around the train station.	TPZ	Town

Concept Plan



Rendering



Considerations

The area around Old Tavern Road and Racebrook Road was selected for illustrating this concept since:

1. This area is somewhat challenged at the moment because Racebrook Road is a main roadway connecting many Orange neighborhoods (and Woodbridge) to Route 1 and Interstate 95.
2. Traffic operations at the intersection with Route 1 are challenged by the fact that it is a “five-cornered” intersection because of Old Tavern Road coming in.
3. Some of the uses in this area are challenged by small lots and shallow lots with individual driveways and/or poor visibility.
4. The Indian River travels through this area but it is not particularly visible or accessible.
5. The transition between residential uses is handled by a planted buffer rather than by a natural transition such as a watercourse.

Consider Town Center-Type Development

While Orange Center has been the civic and governmental focal point in the community for many years, Orange does not really have a Town Center where people can walk around a pedestrian-friendly mixed-use area. As part of this planning process, the Town Plan and Zoning Commission considered whether they wish to encourage this type of development in the future.

One area which *may* have potential for consideration for redevelopment in this way is the area around the intersection of the Post Road in the Racebrook / Old Tavern / Indian River area. Allowing redevelopment of this area as a “town-center-type” development might include the following:

1. Old Tavern Road is rerouted north to create a new intersection with Racebrook and continue further east as a new “Main Street.”
2. This new “Main Street” is intended to be a pedestrian friendly walking street with on-street parking, wide sidewalks, and active uses along the street (shop windows, restaurants, outdoor dining, etc.).
3. Additional parking areas are located to the rear of buildings.
4. A “riverwalk” is created along the Indian River.
5. Uses closer to Route 1 (south) would more likely be retail and office while uses to the north would more likely be residential apartments and/or condominiums.
6. This 48 acre area has about 430,000 SF of building coverage and between about 860,000 and 1,075,000 SF of floor area depending on whether the buildings are two- or two-and-a-half stories.
7. The overall yield of about 20,000 SF/acre is roughly double what is achieved in other zones along Route 1.

Please note this “case study” is intended to be an illustration of an alternative development approach which Orange may wish to consider at some time in the future. It is not intended to reflect a particular development proposal or concept.

Existing Conditions



Illustrative Concept (For Discussion Purposes Only)



Fuss & O'Neill

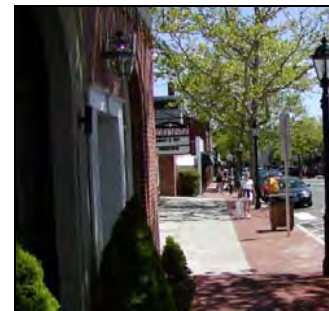
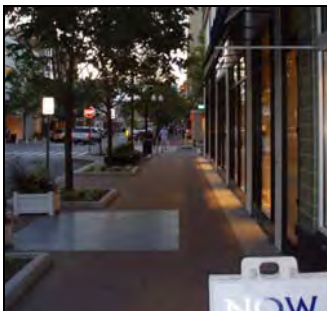
Possible Zoning Strategies

Land use regulations for town-center-type areas can be different than typical zoning regulations. This is because the uses are much more intense and the overall form which is required involves more review by the Commission.

Some communities around Connecticut have adopted “planned development districts” (sometimes called “special development districts” or by other names) and Orange may wish to consider a similar type of approach.

Alternatively, some communities have enacted a “form-based” approach and Orange may wish to consider this approach instead.

Possible Concepts For A Mixed Use Pedestrian-Friendly Village-Type Area

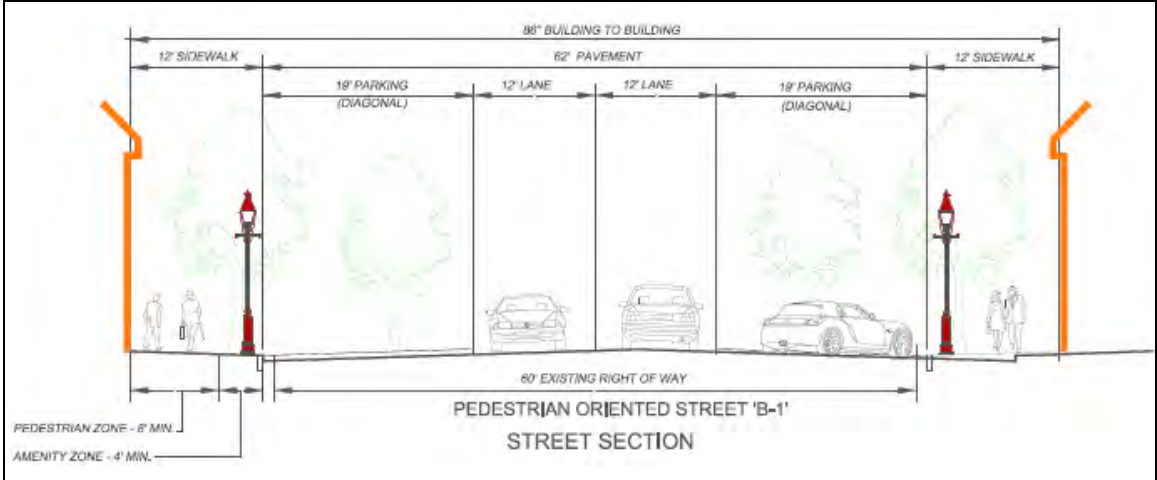


Consider Town Center-Type Development

See inside back cover for legend

Policies	Leader	Partners
1. Consider allowing or encouraging Town Center-type development in an appropriate location.	TPZ	EDC, OEDC, DRB

Potential "Main Street" Cross Section



Existing Streetscapes and Development Patterns



COMMUNITY FACILITIES & SERVICES



Overview

Community facilities support functions such as education, public works, public safety, and recreation, all of which are important to maintaining the character and quality of life in a community. The Plan of Conservation and Development does not get involved in the day-to-day operations of individual departments. Rather, the Plan seeks to identify potential community facility needs (buildings and sites) so that they can be anticipated and planned for. The Plan also serves as a useful guide for referrals of proposed municipal improvements (as required by CGS Section 8-24) for review by the Town Plan and Zoning Commission.

Community facilities help meet community needs and help support our quality of life ...

As described in this chapter, the following community facility needs are identified for future consideration:

Near Term (0-10 years)	<ol style="list-style-type: none">1. Investigate options for expanding or relocating the Town Hall.2. Investigate what school facilities Orange will need for the long term.3. Renovate and improve schools needed for the long term.4. Prepare a program to improve the community center.5. Make arrangements to purchase properties on Lambert Road adjacent to the Public Works facility, should these sites become available.
Mid-Term (10-20 years)	<ol style="list-style-type: none">6. Contemplate the possible need to transition to either a paid fire department or a hybrid paid/volunteer arrangement.
Long Term (20+ years)	<ol style="list-style-type: none">7. Maintain community facilities through pro-active maintenance.

Plan For Future Town Hall Needs

The Orange Town Hall is located on Orange Center Road at the intersection with Tyler City Road. It shares a site with the Orange Center Firehouse and the Mary L. Tracy School.

At the present time, the building is fully occupied and day-to-day operations are cramped. At some time in the not-too-distant future, it will make sense to investigate options for expanding the facility. This expansion can help meet the need for additional office space, meeting space, and storage space. Additional parking spaces are also needed on many occasions.

Relocating the Town Hall elsewhere is also a possibility (Mary L. Tracy School, as a separate facility at the High Plains Community Center, or a possible future “town center” type area).



Plan For Future Town Hall Expansion		See inside back cover for legend	
Policies	Leader	Partners	
1. Address the need for additional office space, meeting space, and storage space in Town Hall.	BOS	BOF	
Initial Tasks			
2. Investigate options for expanding or relocating the Town Hall.	BOS		

Evaluate Consolidation Of Educational Facilities

The education system in Orange is a source of pride for residents. The Connecticut Department of Education classifies school districts into District Reference Groups (DRG) based on socio-economic status, perceived student needs, and enrollments. Orange is classified as DRG-B which is the second highest of the nine groups.

Orange has a two-tier educational system:

- The local school system provides education from pre-kindergarten to grade 6, and
- Regional School District #5 (Amity) provides education from grades 7 to 12 for children from Orange, Woodbridge, and Bethany.

Amity School District

The school facilities of the Amity Regional School District involve residents and representatives of all three communities (Orange, Woodbridge, and Bethany) and are outside the scope of this Plan of Conservation and Development).

Mary L. Tracy School (PreK-K) - Orange Center Road



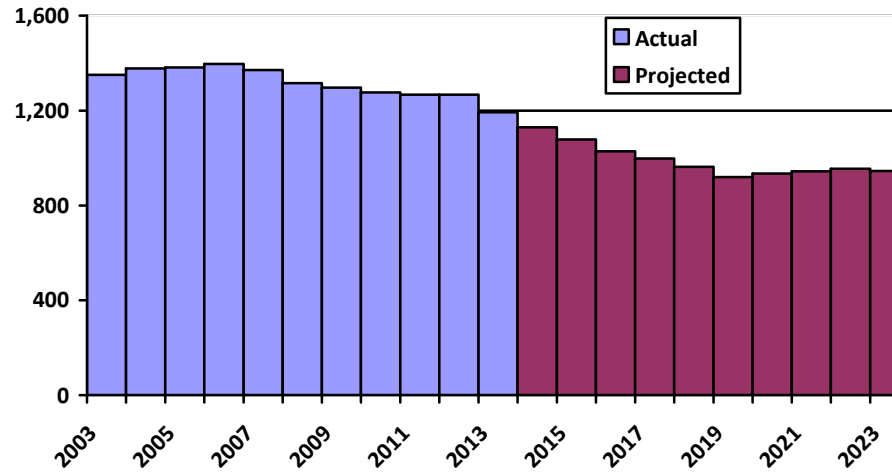
Turkey Hill School (Grades 1-6) - Turkey Hill Road



Enrollment Information

	Year	PK-6 Enrollment	
Historic	2003	1,350	
	2004	1,378	
	2005	1,381	
	2006	1,396	
	2007	1,371	
	2008	1,316	
	2009	1,297	
	2010	1,277	
	2011	1,267	
	2012	1,267	
	2013	1,193	
	Projected	2014	1,130
		2015	1,079
2016		1028	
2017		998	
2018		963	
2019		919	
2020		934	
2021		943	
2022		955	
2023		945	

Local school enrollments (PK – 6) have been decreasing in recent years as a result of overall demographic trends. This enrollment decrease is expected to continue even with the addition of pre-kindergarten programs.



Peck Place School (Grades 1-6) - Peck Lane



Racebrook School (Grades 1-6) - (Grannis Road)



Based on enrollment projections and overall demographics, the time may come when Orange will no longer need four buildings for PK-6 enrollments.

During the planning period, Orange should investigate what education facilities it will need for the long term – both in terms of capacity and quality of educational programs. Each of the school buildings has some need for “refreshment” and so one possibility might be for one school to go off-line for refreshment and renovation while the other schools accommodate the educational programs. This rotating schedule could be employed until the educational facilities are “ready for the 21st century.”

Consideration should also be given to the potential future use or re-use of any excess school facilities. Each site also provides recreational facilities which benefit the community. In terms of building design and location, Mary L. Tracy School may have the greatest potential for re-use.

Evaluate Consolidation Of Educational Facilities	See inside back cover for legend	
Policies	Leader	Partners
1. Seek to maintain educational excellence.	BOE	BOS, BOF
2. Seek to use educational facilities efficiently.	BOE	BOS, BOF
Initial Tasks		
3. Investigate what education facilities Orange will need for the long term.	BOE	BOS, BOF
4. Renovate and improve schools needed for the long term.	BOE	BOS, BOF

Anticipate Fire Department Needs

Orange has an all- volunteer fire department which operates out of two fire stations – the Post Road firehouse near Lambert Road and the Orange Center firehouse (adjacent to Town Hall). The Post Road station was recently built and is well configured to meet community needs for the planning period and beyond. The Orange Center firehouse was built in the 1930s and, while not well-configured for modern fire equipment, does help meet community needs.

Orange has a very good “ISO” rating and this benefits local residents by allowing for lower fire insurance premiums. Given that Orange is an all-volunteer department, this is especially impressive. Fire capabilities are also aided by the fact that there are water lines and hydrants in place which service much of the community. Emergency communications are reported to be adequate.

Over the long term, it may become more difficult to maintain an all-volunteer fire department due to increasing training and certification requirements and a changing age composition. Orange is able to maintain effective response at present at the present time because Orange accepts volunteers from surrounding areas (who want to get experience for career positions elsewhere) and because Public Works employees assist with fire response during the day.

Orange should begin to contemplate the possible need to transition to a paid fire department or a hybrid arrangement of paid staff supplemented by volunteer staff.



Anticipate Fire Department Needs	See inside back cover for legend	
Policies	Leader	Partners
1. Maintain effective fire response capabilities.	FD	BOS, BOF
2. Contemplate the possible need to transition to either a paid fire department or a hybrid paid/volunteer arrangement.	FD	BOS, BOF

Maintain Police / Medical Response

The Orange Police Department is located on Lambert Road on a site shared with the Public Works Garage and the Post Road firehouse. The building, which was built in 1974 and added to in 2000, is expected to be adequate in size for community needs for the next 10-20 years although maintenance and repairs (roof, HVAC, etc.) may be necessary.

Emergency medical response is also provided by the Police Department as all patrol personnel are trained in medical response. A paramedic is stationed in Orange around the clock to assist with medical response.

Emergency communications are in the middle of a system-wide upgrade.



Maintain Police / Medical Response		See inside back cover for legend	
Policies	Leader	Partners	
1. Maintain effective police / medical response capabilities.	PD	BOD, BOF	

Maintain And Improve Recreation Facilities

Orange has a number of recreation facilities which are appreciated by residents and enhance the overall quality of life in the community.

The main facility may be the High Plains Community Center which includes the Senior Center, a gymnasium, a fitness center, an indoor pool, and a number of rooms and classrooms used for a variety of local activities. In addition, the grounds include recreational fields and several structures which provide for a variety of events. Orange also has the Old Tavern Road Recreation Area and Wolfe Park which provide fields for outdoor sports and activities. Local schools (and the Amity Regional Junior High School) also provide indoor space for local activities and outdoor space for youth sports and other activities.

Interest has been expressed in providing additional fields for outdoor sports (soccer, lacrosse, etc.) as well as addressing needs at the community center (upgrade the gymnasium/auditorium, renovate the classroom wing, upgrade the pool area, overall refreshment of the facility, add parking).

Maintain And Improve Recreation Facilities		See inside back cover for legend	
Policies	Leader	Partners	
1. Maintain and improve outdoor recreation facilities.	PRC	BOS, BOF	
2. Maintain and improve the community center.	PRC	BOS, BOF	
Initial Tasks			
3. Prepare a program to improve the community center.	PRC	BOS, BOF	

High Plains Community Center



Indoor Pool



Youth Sports



Old Tavern Road Recreation Area



Wolfe Park



Senior Center



Address Public Works Space Needs

The main Public Works facility is located near the intersection of Lambert Road and the Post Road (Route 1). The site is intensively used at the present time for storage and maintenance of equipment and storage of work materials. At some time during the planning period, the indication is that additional space will be required.

Over the long term, it will make sense to consider how this site can be expanded in order to meet potential future needs of all the activities conducted here (the site is shared by Public Works, the Post Road firehouse, and the Police Station). Should adjacent properties on Lambert Road become available, the Town should consider purchasing these sites in order to provide expansion room in the future for these municipal activities.

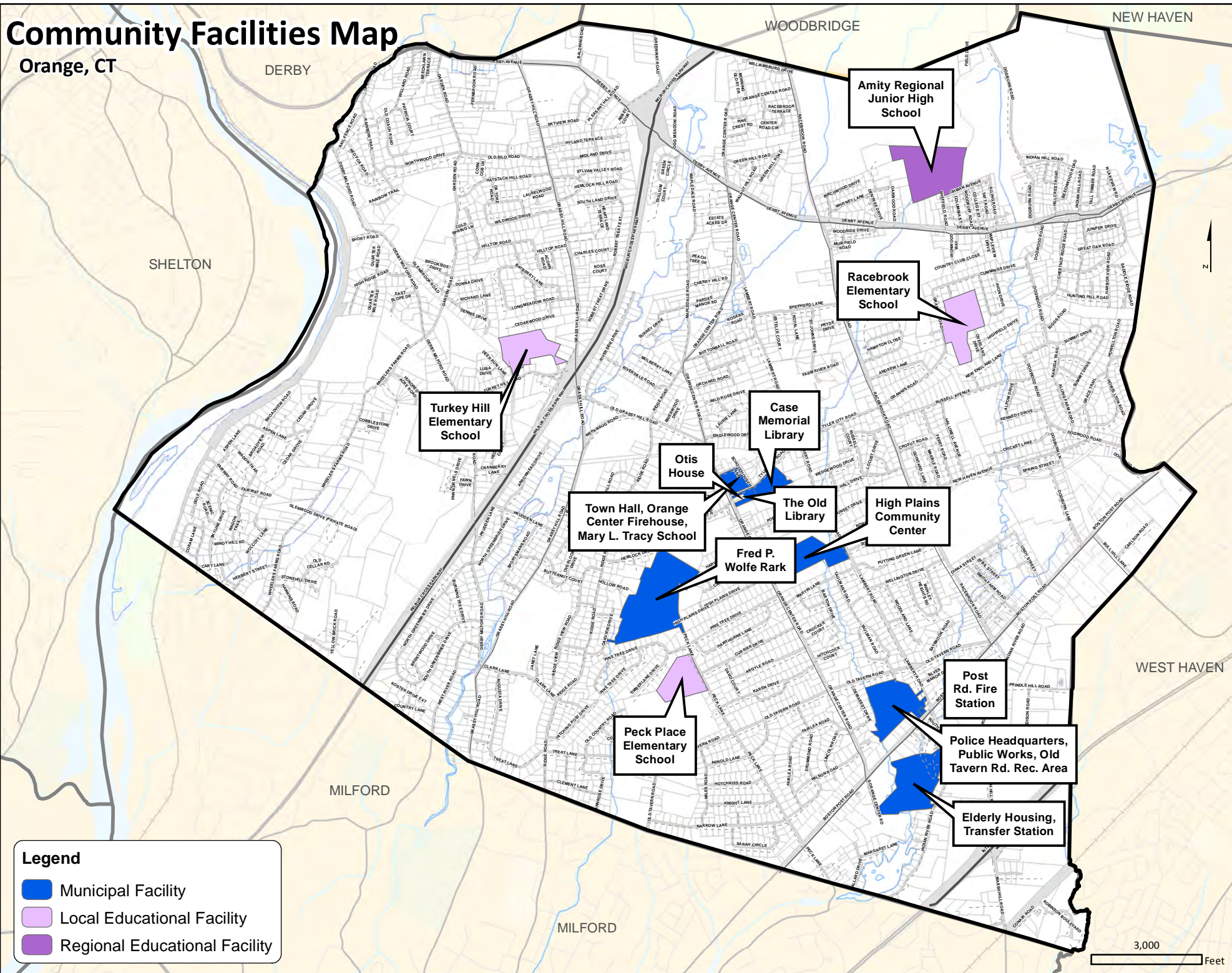
Indications are that the transfer station site (at the end of South Orange Center Road) is adequate for community needs during the planning period.



Address Public Works Space Needs		See inside back cover for legend	
Policies		Leader	Partners
1. Address space needs for public works activities.		PW	BOS, BOF
Initial Tasks			
2. Make arrangements to purchase properties on Lambert Road adjacent to the Public Works facility, should these sites become available.		PW	BOS, BOF

Community Facilities Map

Orange, CT



Amity Regional Junior High School

Racebrook Elementary School

Turkey Hill Elementary School

Otis House

Case Memorial Library

The Old Library

High Plains Community Center

Town Hall, Orange Center Firehouse, Mary L. Tracy School

Fred P. Wolfe Park

Peck Place Elementary School

Post Rd. Fire Station

Police Headquarters, Public Works, Old Tavern Rd. Rec. Area

Elderly Housing, Transfer Station

Legend

- Municipal Facility
- Local Educational Facility
- Regional Educational Facility

3,000 Feet

Maintain Other Facilities

- Case Memorial Library - the library is anticipated to be adequate for community needs for some time
- Stone-Otis House – a historical building maintained by the Orange Historical Society
- Old Library (Orange Center Road)
- Elderly Housing (Red Cedar Road)
- Fairgrounds (Orange Center Road)
- Town Green (part)

Maintain Community Facilities

Orange has a considerable investment in existing community facilities and should strive to ensure that all buildings and properties are maintained for the long term. Preventative maintenance in the short term will save the Town considerable money in the long term.

Orange also has other community facilities which enhance the overall quality of life in the community (see sidebar). These facilities complement the other community facilities in Orange and should continue to be maintained.



Maintain Community Facilities		See inside back cover for legend.	
Policies	Leader	Partners	
1. Maintain community facilities through pro-active maintenance.	Town	PW, PRC, BOE BOS, BOF, PD, FD, CMLC	
2. Maintain other community facilities in Orange.	Town	PRC, LC, OHS, BOS, BOF, CMLC	

TRANSPORTATION

13

Overview

The road system in a community like Orange is functionally important to the day-to-day life of community residents, visitors, and businesses as well as being an important component of its character and self-image. .

This section of the Plan of Conservation and Development looks at the overall configuration of the vehicular transportation network and other transportation modes (pedestrian, bicycle, bus, rail, etc.).

The overall transportation system – roads, walkways, cycling – helps meet community needs and helps support our quality of life ...

Roadways



Pedestrian



Bicycle



Transit



Road Classifications

These *local* road classifications are different than regional and state road classifications.

The regional and state classifications are used for road funding purposes whereas the local classifications are used for land use guidance and roadway construction/maintenance.

The two classification systems are not inconsistent.

Modify Road Classifications

The map on the facing page summarizes the recommended road classifications for Orange (as per Section 382-23 of the Subdivision Regulations):

- Expressways – *limited access highways* for regional travel
- Arterial Roads – *state highways* used for inter-community travel
- Commercial Roads – *Town roads* intended and used to service commercial and industrial developments
- Collector Roads – *Town roads* configured and used for inter-neighborhood travel
- Local Roads – *Town roads* used primarily for access to residential property and generally configured to discourage through traffic

Exceptions to the above classifications occur where local roads (South Lambert Road, Marsh Hill Road, Indian River Road, and Racebrook Road) are located between major state routes and are being used essentially as State highways. Because of this, the Town will request that the Connecticut Department of Transportation consider incorporating these two roads into the State Highway system as follows:

- Designate South Lambert Road / Marsh Hill Road as part of State Route 152 (Orange Center Road) and route SR 152 over the section of Route 1 between Orange Center Road and South Lambert Road
- Designate Indian River Road / Racebrook Road as part of State Route 114 (Racebrook Road).

Modify Road Classifications		See inside back cover for legend	
Policies	Leader	Partners	
1. Use the recommended roadway classifications for land use guidance and roadway construction/maintenance.	TPZ	PW	
Initial Tasks			
2. Request that the Connecticut Department of Transportation consider incorporating South Lambert Road / Marsh Hill Road and Indian River Road / Racebrook Road into the State Highway system.	PW	BOS	

Transportation Map

Orange, CT

DERBY

WOODBIDGE

NEW HAVEN












SHELTON

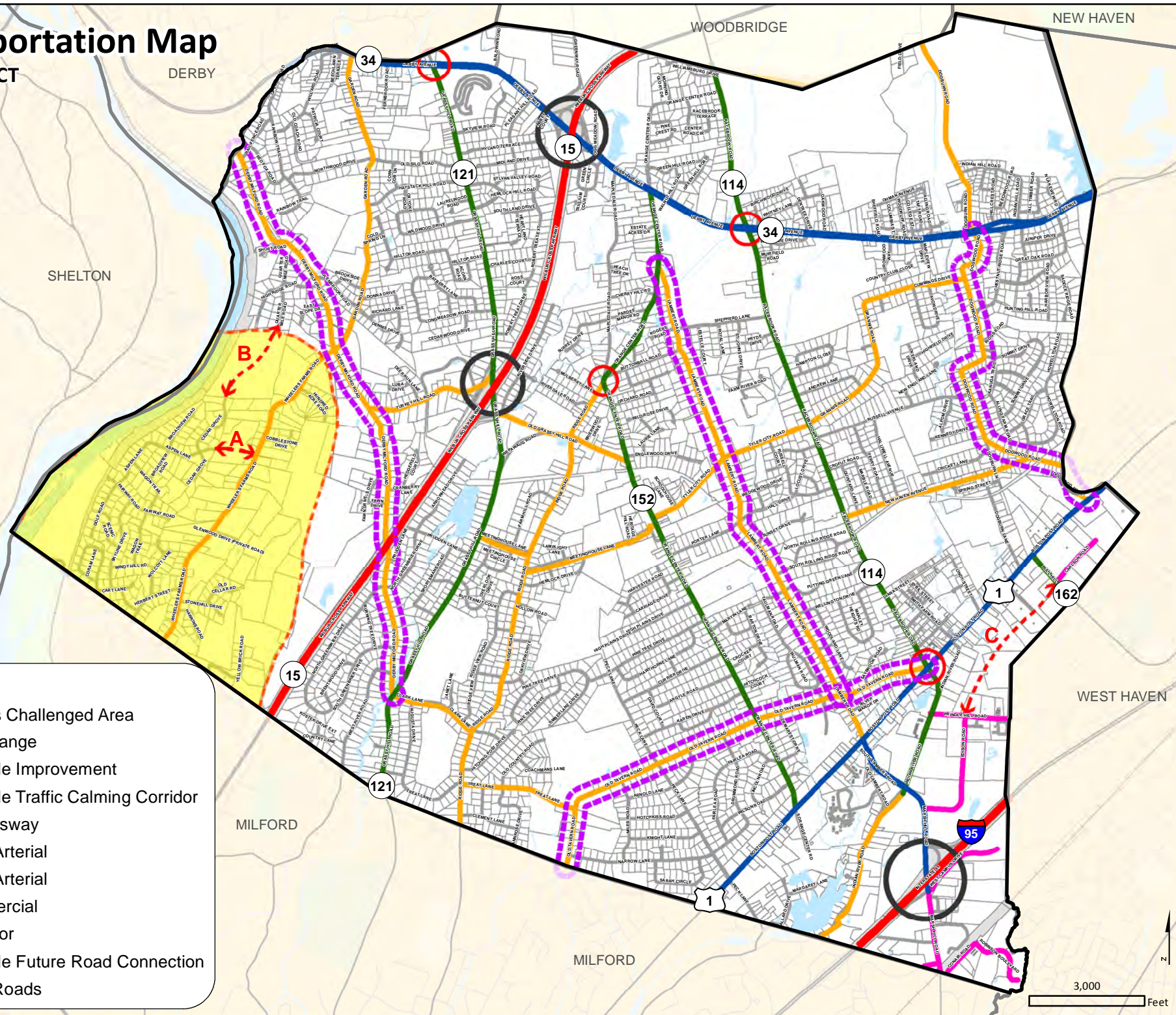
WEST HAVEN

MILFORD

MILFORD

Legend

-  Access Challenged Area
-  Interchange
-  Possible Improvement
-  Possible Traffic Calming Corridor
-  Expressway
-  Major Arterial
-  Minor Arterial
-  Commercial
-  Collector
-  Possible Future Road Connection
-  Local Roads



3,000 Feet

Address Overall Roadway Issues

The overall circulation pattern in Orange is reasonable with a couple of exceptions as discussed below.

1. **Wheelers Farm Road** – The TPZ may wish to encourage or require road connections in the Wheelers Farm Road area in order to provide secondary access in the event that Wheelers Farm Road is blocked for any reason (shown as “A” and “B” on the map on the preceding page). Without such a connection, the entire southwestern part of Orange is essentially one large “cul-de-sac” accessible from the rest of Orange only by Wheelers Farm Road.
2. **Edison / Bull Hill Connection** – To enhance overall circulation in the “Economic Area”, the TPZ may wish to consider encouraging or requiring this connection (shown as “C” on the map on the preceding page).
3. **Five Corners @ Old Tavern** – Relocating Old Tavern Road away from the intersection with the Post Road (Route 1) and Racebrook Road (Route 114) as part of development or redevelopment plans in this area will help address congestion in this location.



4. **Five Corners @ Mapledale** – There is also a five-corner intersection where Orange Center Road intersects with Ridge Road, Mapledale Road, and Buttonball Road. Traffic operations at this location are hindered by the five-corner configuration, road alignments, grade changes, and sight lines. Eliminating the Buttonball Road connection to Orange Center Road could help simplify this intersection while retaining residential access through Orchard Road, Oak Tree Road, and Lambert Road. Alternatively, installing a modern roundabout at this intersection might also be an effective solution.

5. **Derby Avenue @ Racebrook Road** – This intersection is congested during peak operations and would benefit from the addition of turn lanes, extension of storage for queues, and additional through capacity on Racebrook Road. The Town should work with the CTDOT to conduct a detailed study of intersection operations in order to identify specific lane needs and storage lengths.

Derby Road at Racebrook Road



6. **Derby Avenue @ Grassy Hill Road** – This intersection can also get congested due to the traffic volumes and would benefit from the addition of turn lanes on Route 121, and extension of storage for queues on Route 34. The Town should work with the CTDOT to conduct a detailed study of intersection operations in order to identify specific lane needs and storage lengths.

Derby Road at Grassy Hill Road



7. **Derby-Milford Road** – Overall traffic volumes and truck traffic have increased concerns about the configurations of this roadway corridor and the following strategies are recommended:
- Work with local and state officials to designate this roadway as a non-truck route and relocate heavy truck traffic to the Grassy Hill Road (State Route 121) corridor,
 - Work with Derby and state officials to improve the intersection of Derby-Milford Road at Route 34, and
 - Continue to pursue funding at the state/regional level to widen this road to provide shoulders and bike lanes and increase safety.
8. **Pavement Management** – Pavement can be expensive to maintain and it can become exponentially more expensive if simple maintenance tasks are deferred. Orange should continue to dedicate financial resources and manpower to maintaining local roads as cost effectively as possible.

Address Overall Roadway Issues	See inside back cover for legend	
Policies	Leader	Partners
1. Encourage or require additional road connections in the Wheeler Farms Road area in the future.	TPZ	FD, PD
2. Encourage or require a road connection between Edison Road and Bull Hill Road.	TPZ	EDC, OEDC
3. Encourage or require the relocation of Old Tavern Road away from the Post Road / Racebrook Road intersection.	TPZ	BOS, PD
4. Continue to dedicate resources to maintaining local roads as cost effectively as possible.	PW	BOS, BOF
Initial Tasks		
5. Investigate the need to simplify the intersection of Orange Center Road at Mapledale Road.	PW	PD, BOS
6. Work with CTDOT to study intersection operations at Derby Avenue at Racebrook Road.	PW	PD, BOS
7. Work with CTDOT to study intersection operations at Derby Avenue at Grassy Hill Road.	PW	PD, BOS
8. Work with local and state officials to improve Derby-Milford Road and designate it as a non-truck route.	PW	PD, BOS

Improve Route 1 Operations

Route 1 is a major commercial area in Orange and operations along the roadway are challenged by the number of driveways and the number of conflicting turning movements. Many people have expressed frustration about the challenges along Route 1.

In response to this situation, the Connecticut Department of Transportation (CTDOT) undertook a project to change the configuration of a portion of Route 1 (near the West Haven line). As a result of that project, the road cross section was changed to include turning lanes and, in some places, to add a center lane which provides for left-turns in either direction. Orange should continue to advocate for the CTDOT to make improvements to the remaining sections of Route 1 to address congestion and safety issues.

In addition, Orange will review the provisions in the zoning regulations requiring consideration of “access management” as part of plan approvals along Route 1. Such regulations can be used to encourage or require driveway sharing and/or interconnected sites in order to enable access to land uses while maintaining roadway safety and mobility. Over time, this will help create situations where people may be able to travel between sites on the same side of the road without having to exit onto Route 1 to turn into the next driveway. In addition, it may allow for the number of driveways to be reduced over time.

**New 5-lane Section
(Center lane = 2-way left turn)**



**Older 4-lane Section
(No Center Lane)**



Improve Route 1 Operations		See inside back cover for legend	
Policies		Leader	Partners
1. Continue to advocate for CTDOT improvements to Route 1.		Town	BOS, PW
2. Manage access along Route 1 to promote safety and mobility.		TPZ	PD
Initial Tasks			
3. Review the “access management” section in the Zoning Regulations and enhance as appropriate.		TPZ	

Traffic Calming

According to the Institute of Transportation Engineers, traffic calming is the “combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users.”

Traffic Calming

Lambert Road is one of the roads in Orange where “traffic calming” appears to be warranted. Traffic from the Naugatuck Valley towns can come down Orange Center Road and then use Lambert Road to get a direct connection to Marsh Hill Road and I-95. This traffic often travels at a higher rate of speed in conflict with the character of this scenic road and residential neighborhood.

Dogwood Road and Dogburn Lane are other roads where “traffic calming” may be warranted.

Consider Traffic Calming In Residential Areas

Orange is located between the Naugatuck River valley communities (Derby, Shelton, Ansonia, Seymour, etc.) and communities along and near the shore (New Haven, West Haven, Orange, and Milford). Orange also is a conduit for traffic to and from Woodbridge and Bethany. As a result, quite a bit of traffic travels to and through Orange on a regular basis and some of this traffic has chosen to go through residential neighborhoods in a way that is incompatible with the character of the roadway and/or the neighborhood (i.e. - traffic speed and behavior).

To help manage traffic flow through Orange, it may make sense to implement “traffic calming” techniques in the future where traffic speed is an issue. The following type of approach can help slow or reduce motor vehicle traffic and improve safety for pedestrians and bicyclists:

- Education - inform residents about how they as motorists can help to ease traffic impacts in their neighborhood through changes in behavior and attitudes, and informs them about neighborhood traffic management activities and opportunities
- Enforcement - enlist the assistance of the Police Department to focus enforcement efforts in key areas
- Engineering – the use of traditional traffic management measures as well as newer approaches, such as traffic calming

A thoughtful approach to implementing traffic calming is recommended. Without proper planning and appropriate use, some traffic calming devices can have unintended consequences and negatively impact residents, emergency responders, bicyclists and other road users.

Orange can take a pro-active approach to traffic calming, with a structured program which considers technical aspects such as traffic volumes, speeds, and proximity to neighborhood pedestrian generators, as well as public support for the project. This collaborative approach with residents seeks to preserve neighborhood character while solving traffic issues.

Consider Traffic Calming In Residential Areas		See inside back cover for legend	
Policies	Leader	Partners	
1. Consider traffic calming in residential areas.	PD	PW, FD	

Possible Traffic Calming Techniques - Education



Neighborhood Meetings - A neighborhood meeting can raise awareness of the issue and involve residents in identifying possible approaches.



Neighborhood Newsletter – A newsletter can share information about safety concerns, information on traffic speed and volume, and proposed responses. In addition, traffic and pedestrian safety basics can be covered.



Radar Speed Sign - These signs, which may be portable, use radar to provide motorists with an electronic display, alerting them if they are exceeding acceptable speeds increases driver awareness and motivates people to alter their behavior.



Signage – Traffic signage, if warranted, can inform drivers of school zones, pedestrian activity, school crossings, and bike routes. Installation of stop signs for speed control or unreasonably low speed limits is not recommended.

Possible Traffic Calming Techniques - Enforcement



Speed Enforcement – Enforcement of speed limits and other traffic laws in neighborhoods can help slow traffic and help police learn when and where to focus their traffic calming efforts.

Possible Traffic Calming Techniques - Engineering



Narrowing Travel Lanes - Wide travel lanes can encourage faster travel speeds. Narrowing the travel lane through the use of pavement markings, landscaping, or curbing can calm traffic and provide space for pedestrians and cyclists.



Textured/Colored Pavement – Changing the texture / color of pavement for even a small area (or another type of “gateway” feature) can send a visual cue that a driver has entered a traffic-calmed area.



Mini-Roundabouts - A mini-roundabout is a street intersection feature which requires vehicles to slow down and navigate around the island in an intersection and yield to vehicles already in the roundabout.



Temporary Constriction – Temporary constriction of the travel lanes (curb extensions, bulb-outs, chicanes, etc.) will slow traffic and deter traffic whose destination is not in the neighborhood. These could be moved around as necessary.



Permanent Constriction – Permanent constriction of travel lanes (choker, chicane, etc.) will also slow traffic and deter traffic whose destination is not in the neighborhood. However, this can be an issue for snow plowing and emergency response.



Speed Bump / Hump – Temporary or permanent raised sections of roadway which can deter speeding and cut-through traffic. However, this can also create issues for snow plowing and emergency response.



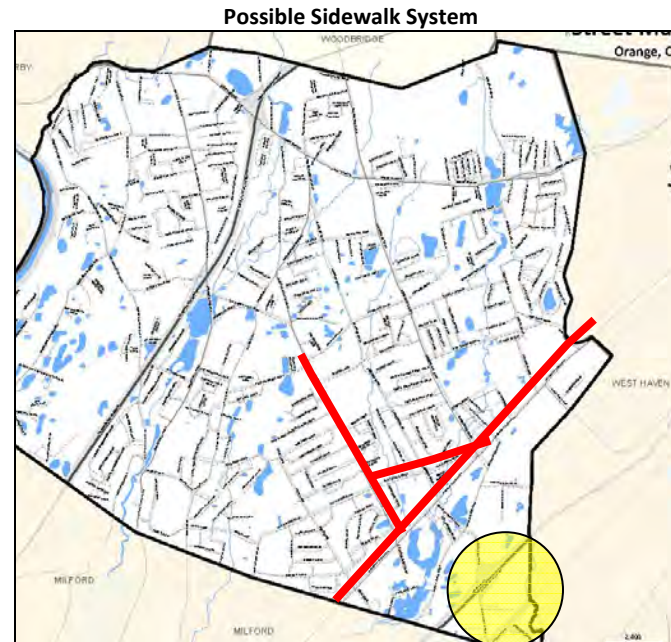
Road Closure – A partial closure (diverter) or a full closure should only be used as measures of last resort and only considered if other less restrictive physical measures have failed.

Consider Providing For Pedestrians

Orange does not presently have much in the way of an organized system of sidewalks or pedestrian trails. As a result, there is not as much pedestrian activity as can be found in similar communities.

During the planning period, Orange may wish to consider the possibility of establishing:

- A sidewalk system along both sides of Route 1 to allow for people to walk between nearby properties,
- A sidewalk and/or trail connection from Route 1 to the Old Tavern Road Recreation Area and to Orange Center Road,
- A sidewalk and/or trail connection from Orange Center / High Plains Community Center) to Old Tavern Road and Route 1,
- Sidewalks near the proposed train station, and/or
- A trail system within and between open space areas.



Consider Providing For Pedestrians		See inside back cover for legend	
Policies	Leader	Partners	
1. Consider making more provision for pedestrians.	Town		
Initial Tasks	Leader	Partners	
2. Modify the zoning regulations to require sidewalks along Route 1 and the near the proposed train station.	TPZ		
3. Investigate the installation of pedestrian walkways or paths on Orange Center Road and Old Tavern Road (seasonally or year-round).	Town	BOS, BOF, PRC	

Consider Providing For Cyclists

In recent years, there has also been increased interest among Connecticut residents in bicycle usage for recreation, occasional errands, and even for commuting.

The Connecticut Department of Transportation created a statewide database which classifies state highways by potential suitability for bicycle usage. That classification system considers traffic speed and the width of the roadway shoulder area to suggest potential suitability. Orange should establish a committee comprised of local cyclists to look at local streets and establish a comparable system of bicycle routes in Orange, coded by potential suitability.

Orange should also pursue designation as a bicycle friendly community. An organization called League of American Bicyclists evaluates and designates communities that apply for bicycle-friendliness. In Connecticut, Simsbury (bronze) and South Windsor (bronze) have been so designated.

Painted Bike Lane



Shared Use Path



Consider Providing For Cyclists		See inside back cover for legend	
Policies	Leader	Partners	
1. Consider bicycle usage within existing pavement widths when undertaking roadway projects (including narrowing vehicle lanes if appropriate).	PW	DOT	
2. Encourage provision for bicycles in public and private activities.	TPZ	PW, DOT	
Initial Tasks			
3. Inventory and categorize roads for potential suitability for bicycles.	OBC	PW	
4. Consider pursuing designation as a bicycle friendly community.	OBC	PW	

Promote Transit

Having transit available within a community provides transportation choices for people who might not otherwise be able to get around. This can benefit local workers and local businesses as well as the young, the old, and the disabled.

Bus Transit

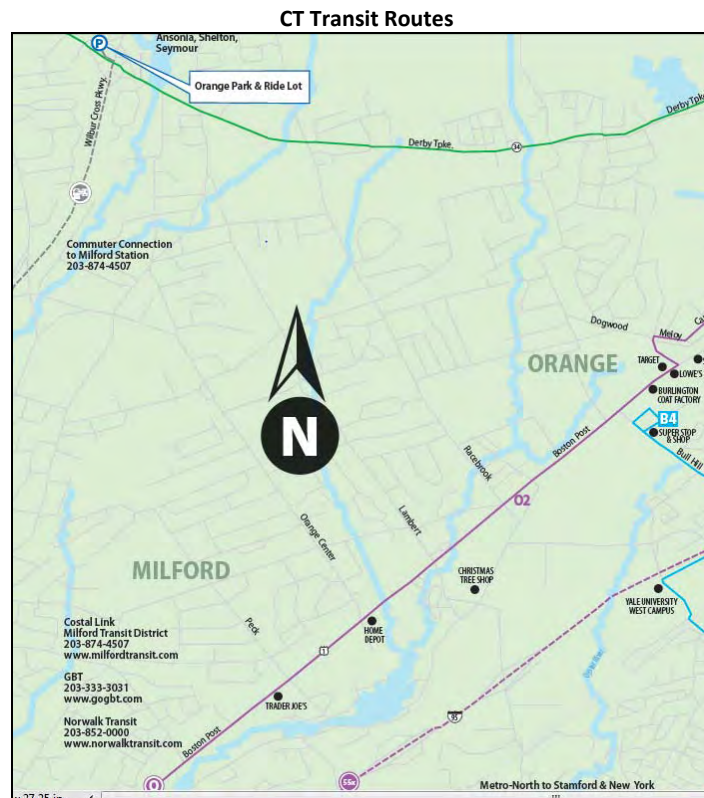
At the present time, Orange is served by the Connecticut Transit system (CT Transit) as follows:

- F-6 Route– Service between New Haven and Seymour via Route 34
- O-2 Route – Service between New Haven and Milford via Route 1
- B-4 Route – Service between New Haven and West Haven via Bull Hill Road

These routes can help address transportation needs of residents and businesses and should be maintained and enhanced.

Train Service

The Metro-North Rail Line, which provides train service between New Haven and Grand Central terminal in New York City, runs through Orange. However, there is not a rail station in Orange at the present time. The Connecticut Department of Transportation recently opened a rail station in West Haven and is considering the possibility of opening a rail station in Orange. The addition of a rail station would be of significant benefit to Orange residents and businesses and will be supported.



Dial-A-Ride

The Community Services Department provides rides to the elderly and people with disabilities for medical appointments, the Senior Center, local shopping centers, and personal errands (if time allows). The three “lift-equipped” vehicles provide about 3,500 trips per year. This service should continue to be provided.

Commuter Parking / Transportation Demand Management

There is a commuter parking lot in Orange on Greenway Road (at the Route 34 / Wilbur Cross Parkway interchange). Orange will advocate for additional park and ride facilities at appropriate locations to reduce single occupancy trips.

The Town and local employers should encourage and provide incentives for carpooling, use of mass transit (including bus shelters), walking and biking, flexible working hours, compressed work weeks, and telecommuting.

Promote Transit	See inside back cover for legend	
Policies	Leader	Partners
1. Encourage maintenance and enhancement of CT Transit bus service.	Town	EDC, OEDC
2. Support establishment of a rail station in Orange.	Town	
3. Maintain dial-a-ride services for those who need them.	CSC	PRC, BOS, BOF
4. Support establishment of additional park and ride lots.	Town	
5. Encourage carpooling, use of mass transit, walking and biking, flexible working hours, compressed work weeks, and telecommuting.	Town	
Initial Tasks		
6. Consider ways to establish bus shelters along established bus routes.	Town	EDC, OEDC

UTILITY INFRASTRUCTURE

14

Overview

The availability of utility infrastructure – water, sewer, electricity, and communications, for example – has a significant influence on overall public health, safety, welfare, and quality of life. Even though some of these utilities may be provided by private companies, their availability is important for residents, businesses, and visitors to Orange.

Utility infrastructure helps support our overall quality of life ...

The Plan of Conservation and Development looks at the availability of these utilities (both capacity and location) to ensure they are adequate for community needs.

Public Water



Public Sewer



Electrical Service



Wireless Communications



Improve Storm Drainage

Storm drainage is not often thought of as a utility (since property owners typically do not pay for it) but it is part of the infrastructure system relied upon to support development in Orange.

The challenge with the overall drainage system in Orange is that increasing development (impervious coverage) over time has increased the amount of runoff and increased the peaking of runoff. Both of these situations have resulted in downstream flooding problems and resulted in the need for expensive solutions. There has also been growing awareness of the impacts of stormwater runoff on water quality.

The “Natural Resources” chapter suggested that “low impact development” strategies would be appropriate for Orange to consider. These strategies seek to more closely mimic the way that the natural water cycle works by recharging groundwater at the place the raindrop falls rather than attempt to collect it, accumulate it, and then discharge it.

Typical Drainage Outlet



LID Approach (Rain Garden)



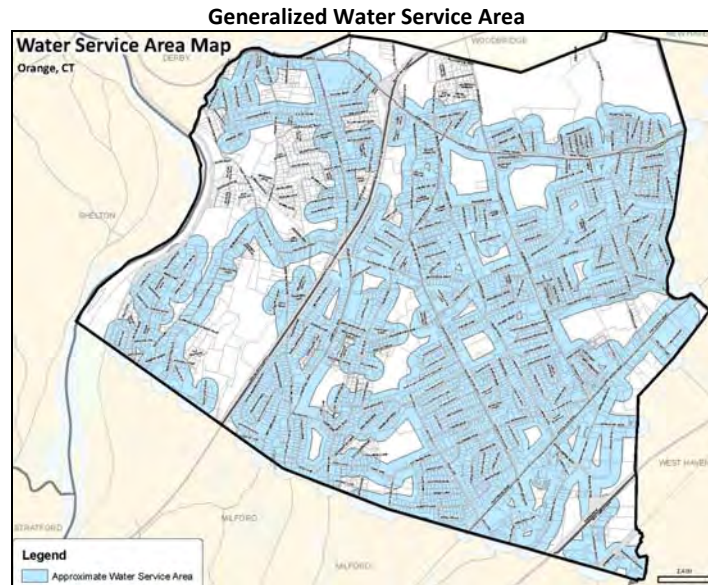
Improve Storm Drainage		See inside back cover for legend	
Policies		Leader	Partners
1. Address storm drainage issues in Orange.		PW	TPZ
2. Transition to a “low impact development” drainage approach which promotes infiltration and water quality improvements.		PW	TPZ
Initial Tasks			
3. Incorporate LID stormwater management standards into land use regulations.		TPZ	PW

Extend Water Supply

Much of Orange is served by public water provided by the South Central Regional Water Authority (SCRWA). Water quality is reported to be good and adequate capacity exists to supply additional customers in all service areas. The availability of an adequate water supply to help meet domestic needs and fire protection needs is extremely valuable.

Expansion of water service is most likely to occur as part of new development or specific projects to address system issues. The Subdivision Regulations provide for the extension of water as part of new developments.

Although no expansion is planned by the SCRWA at the present time, opportunities to expand the service area (and interconnect water lines) should be explored.



Protection of water quality, which is also important, was addressed in the “Natural Resources” chapter of the Plan.

Extend Water Supply	See inside back cover for legend	
Policies	Leader	Partners
1. Continue to strongly encourage and/or require the extension of public water supply in Orange.	TPZ	SCRWA

Sewage Disposal

To address sewage disposal needs, the Town of Orange entered into an Agreement with the City of West Haven in 1985 whereby the Town can send up to one million gallons per day (1.0 MGD) of sewage waste to the West Haven treatment facility for treatment and discharge.

At the present time, Orange is only using about 350,000 gallons per day to serve the uses in the “Economic Area.”

As a result, Orange appears to have ample capacity to serve the buildout potential within this area and to otherwise meet community goals.

Note that the “Fieldstone Village” development at the corner of Grassy Hill Road and Route 34 entered into a private arrangement with the City of Derby. This arrangement was limited to that specific development.

Manage Sewage Treatment

Practically all residential areas in Orange utilize on-site septic systems to treat sewage waste. This arrangement is the primary reason behind the minimum lot size requirements in residential districts since a lot must be capable of accommodating a primary septic system as well as a reserve area in the event the septic system needs to be repaired or replaced.

It is the long-term goal of the Town to continue this approach and ensure these septic system areas are “sewer avoidance” areas in the future. To help do this, Orange will consider establishing a septic management program whereby all septic systems in Orange are required to be pumped and inspected on a regular basis (say once every three years) to ensure they are functioning correctly (see “Natural Resources” chapter).

The “Economic Area” along the Post Road (Route 1) and areas south are served by public sewers. During the planning period, it may make sense to consider expanding the sewer service area to include areas near the Post Road in order to help accommodate new land uses or promote new development patterns. This was done in 1991 as part of an amendment to the Agreement between Orange and West Haven.

Manage Sewage Treatment		See inside back cover for legend	
Policies	Leader	Partners	
1. Continue the use of septic systems in most areas of Orange.	BPH	TPZ, WPCA	
2. Promote “sewer avoidance” in most areas of Orange.	BPH	TPZ, WPCA	
3. Maintain sewage capacity at the West Haven treatment facility to help accommodate land uses in the “Economic Area” and promote new development patterns where desired.	WPCA		

Sewer Service Area Map

Orange, CT

DERBY

WOODBIDGE

NEW HAVEN

SHELTON




Planned Sewer Avoidance Area

MILFORD

WEST HAVEN

MILFORD

Legend

-  Approximate Sewer Service Area
-  Private Sewer Agreement with Derby
-  Possible Future Sewer Service Area

2,400 Feet



Encourage Extension Of Natural Gas Service

Natural gas service is available in some areas of Orange and service is provided by Southern Connecticut Gas (SCG). Yankee Gas Service Company provides gas service in Derby and so some of their gas lines are located along Route 34.

Natural gas is desired by more customers these days since prices have dropped in recent years. In addition, people have found that natural gas appliances can be available (heating, cooking, bathing, etc.) even when electrical service might be interrupted following a storm. Orange will encourage the extension of natural gas service within the community so that residents have a choice of energy systems.

Encourage Extension Of Natural Gas Service	See inside back cover for legend	
Policies	Leader	Partners
1. Encourage extension of natural gas service in Orange.	Town	

Maintain Electrical System Reliability

As society has become more dependent on electrical and electronic devices, the reliability of the electrical system is an important consideration. The electrical distribution system is most vulnerable in areas where the electrical wires are overhead. While new electrical service must be underground as part of new subdivisions and other development in Orange, many of the main feeder lines and a number of areas are still served by overhead wires.

Since it is likely to be too expensive to relocate the electrical wires underground, the utility companies will seek to trim vegetation to maintain reliability. This can have an impact on the overall character of the community. Orange will continue to seek an appropriate balance between electrical reliability and community character.

Maintain Electrical System Reliability	See inside back cover for legend	
Policies	Leader	Partners
1. Continue to seek an appropriate balance between electrical reliability and community character.	Town	TC
2. Encourage or require the extension or expansion of underground electrical service.	TPZ	Town

Continue To Improve Communications

Telephone service (“land line”) and cable television service is presumed to be available to all properties in Orange. As a result, people have the ability to communicate with others and/or receive communications should they choose to do so.

In this day and age, more and more people are relying on wireless devices to communicate because of the convenience involved. It can also enhance public safety since people are more likely to be in a situation where they can call for assistance or be located. Ensuring that Orange has reasonable wireless communications service availability will be important to the overall quality of life in the community.

The Connecticut Siting Council has jurisdiction of new wireless towers except “municipal towers” (towers to be established by or for a municipality) and panel arrays established on or within existing structures.

Orange’s Zoning Regulations include standards for telecommunications facilities, which provide standards for facilities *not* subject to State jurisdiction.

In the future, it is anticipated that there will be growing interest in “backfilling” between existing cellular towers in order to improve overall service availability in areas that need it and to avoid capacity constraints due to increased demands on bandwidth or tower capacity.

Orange will seek to balance the demand for wireless services and the public safety benefits with the visual and other impacts of new installations.

Continue To Improve Communications	See inside back cover for legend	
Policies	Leader	Partners
1. Encourage the maintenance and improvement of telephone service.	Town	
2. Encourage the maintenance and improvement of cable television service.	Town	
3. Seek to balance the demand for wireless services and the public safety benefits with the visual and other impacts of new installations.	Town	

NEXT STEPS

15

The Plan of Conservation and Development has been prepared to meet the challenges that will confront the Town of Orange in the future. The Plan is intended as a guide to be followed in order to enhance the quality of life and community character. It is intended to be flexible in order to allow adjustments in the manner that specific goals and objectives are achieved while maintaining stability in the long-term goals of the community. Still, the most important step of the planning process is implementation of the recommendations.

During the next few years, some of the goals will be achieved, some circumstances will undoubtedly change, and some conditions may arise that will suggest that it is time to reconsider some of the Plan recommendations. Such situations are to be expected. Programs that help achieve community consensus, establish community goals, and promote community welfare will all turn out to be positive steps in the history of Orange.

Conservation



Development



Infrastructure



Future Land Use Plan

The recommendations of the Plan can be combined to present an overall Future Land Use Plan for Orange. The Future Land Use Plan is a reflection of the stated goals, objectives, and recommendations of the Plan as well as an integration of the preceding elements of the Plan of Conservation and Development. In essence, the Future Land Use Plan is a statement of what the Orange of tomorrow should look like.

Natural Resources / Open Space

Existing Open Space Areas
Natural Resource Constraints
Watercourses

Residential Areas

Low Density Residential Areas
Existing Multi-Family Development
Possible Housing Diversity Areas

Business Areas

Neighborhood Business
Commercial
Business / Commercial
Business / Industrial

Community Facility / Institutional

Community Facility / Institutional

Other Areas

Special Development
Transit-Oriented Overlay
Possible Future Town Center

Future Land Use Map

DERBY

Orange, CT

WOODBIDGE

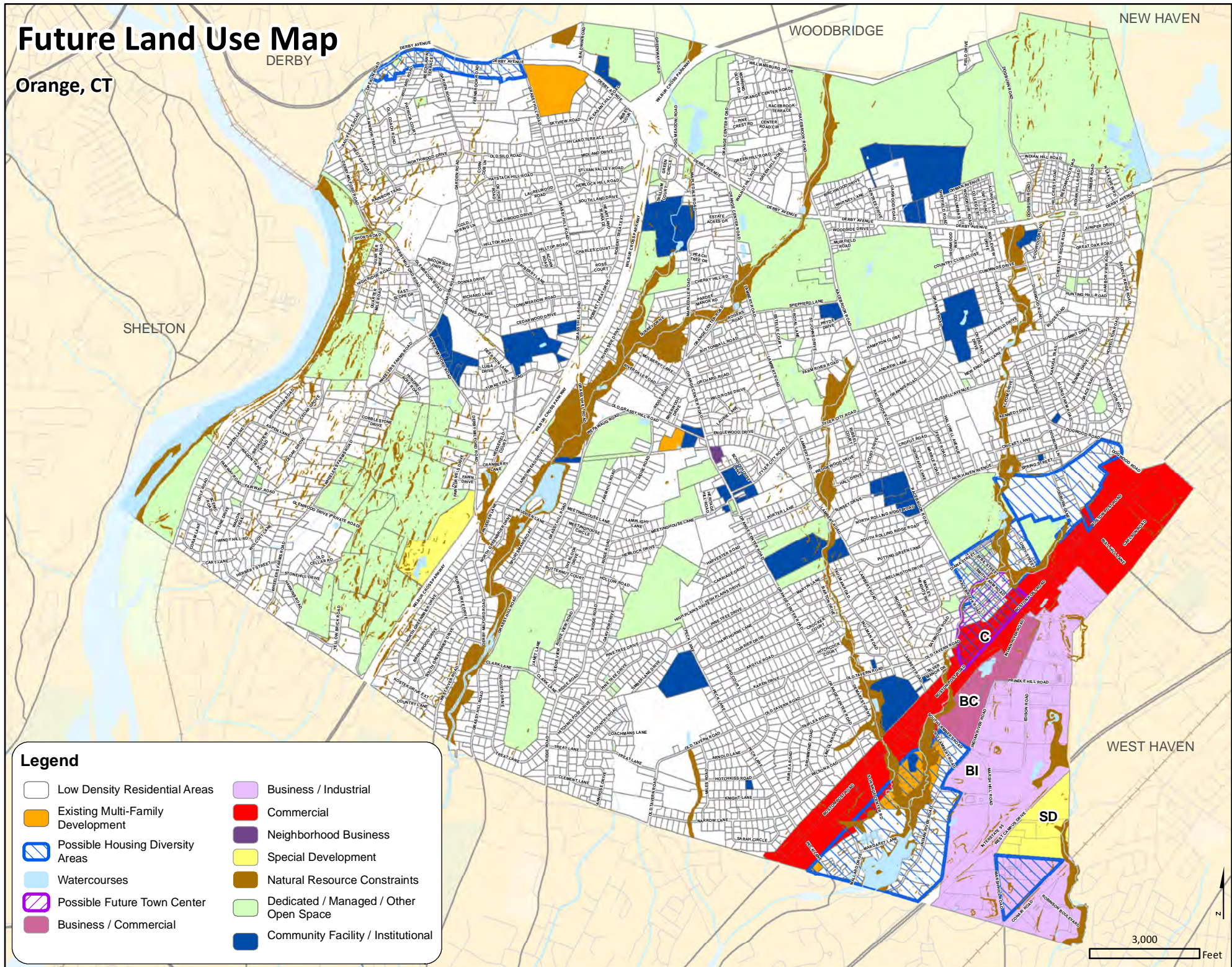
NEW HAVEN

SHELTON

WEST HAVEN






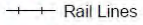
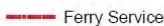



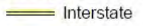

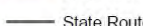



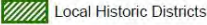
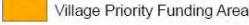
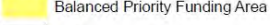

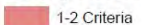
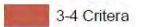
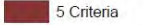
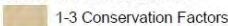
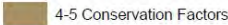
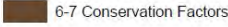
Legend

- | | |
|---|--|
|  Low Density Residential Areas |  Business / Industrial |
|  Existing Multi-Family Development |  Commercial |
|  Possible Housing Diversity Areas |  Neighborhood Business |
|  Watercourses |  Special Development |
|  Possible Future Town Center |  Natural Resource Constraints |
|  Business / Commercial |  Dedicated / Managed / Other Open Space |
| |  Community Facility / Institutional |



3,000 Feet

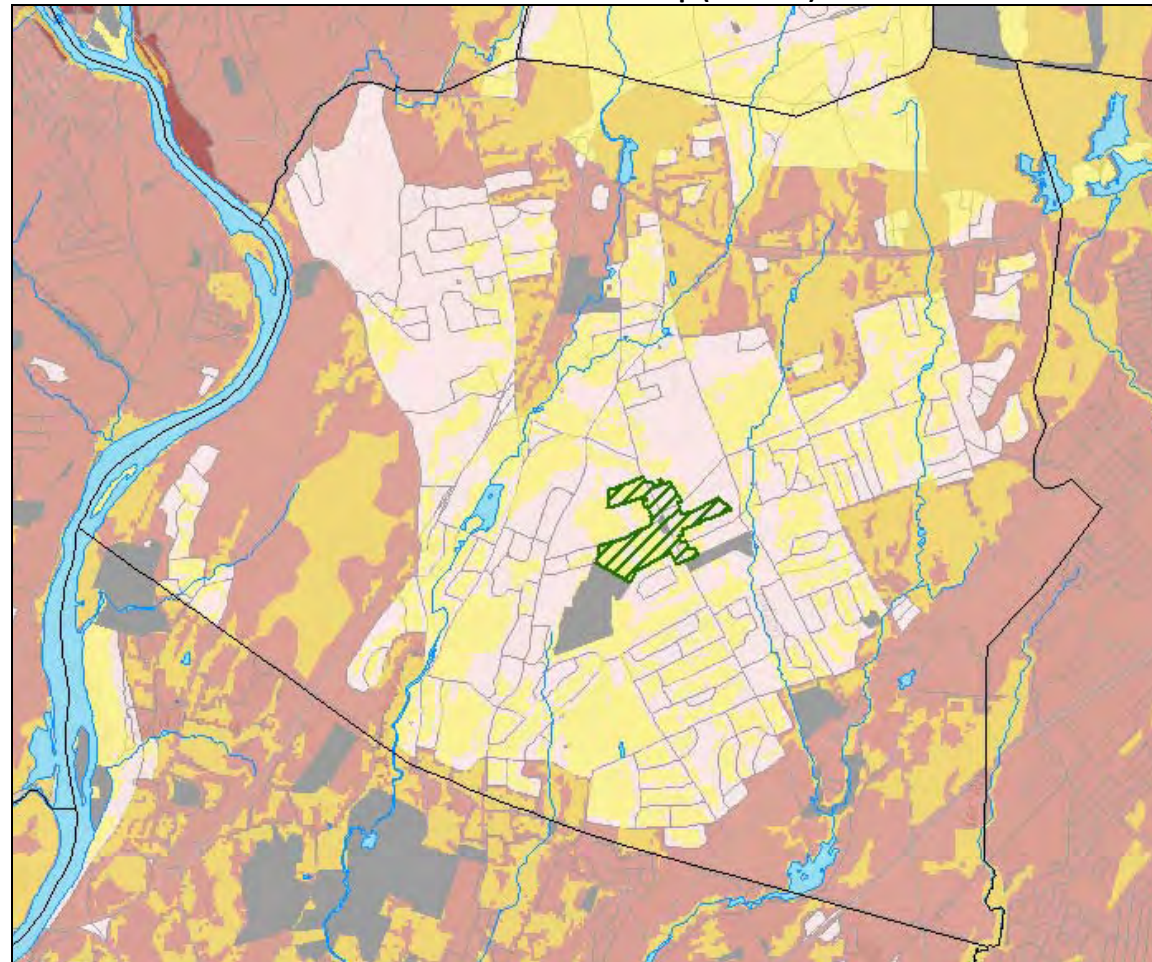
State Plan Categories

-  Municipal Boundaries
-  Busway Stations
-  Rail Stations
-  Ferry
-  Sea Ports
-  Rail Lines
-  Ferry Service
- Airports**
 -  Commercial Service
 -  General Aviation
 -  Reliever
- Primary Highways**
 -  Interstate
 -  U.S. Route
 -  State Route
-  Regional Centers
-  Water
-  Protected Lands
-  Local Historic Districts
-  Village Priority Funding Area
-  Balanced Priority Funding Area
-  Undesignated Lands
- Priority Funding Areas**
 -  1-2 Criteria
 -  3-4 Criteria
 -  5 Criteria
- Conservation Areas**
 -  1-3 Conservation Factors
 -  4-5 Conservation Factors
 -  6-7 Conservation Factors

Plan Consistency

In accordance with CGS Section 8-23, this POCD was compared with the 2013-18 State Conservation and Development Policies Plan and found to be generally consistent with that Plan and its Locational Guide Map.

State Locational Guide Map (2013-18)



Connecticut Conservation and Development Plan – State Growth Principles

In accordance with CGS Section 8-23, the Plan of Conservation and Development has been evaluated for consistency with statewide growth management principles.

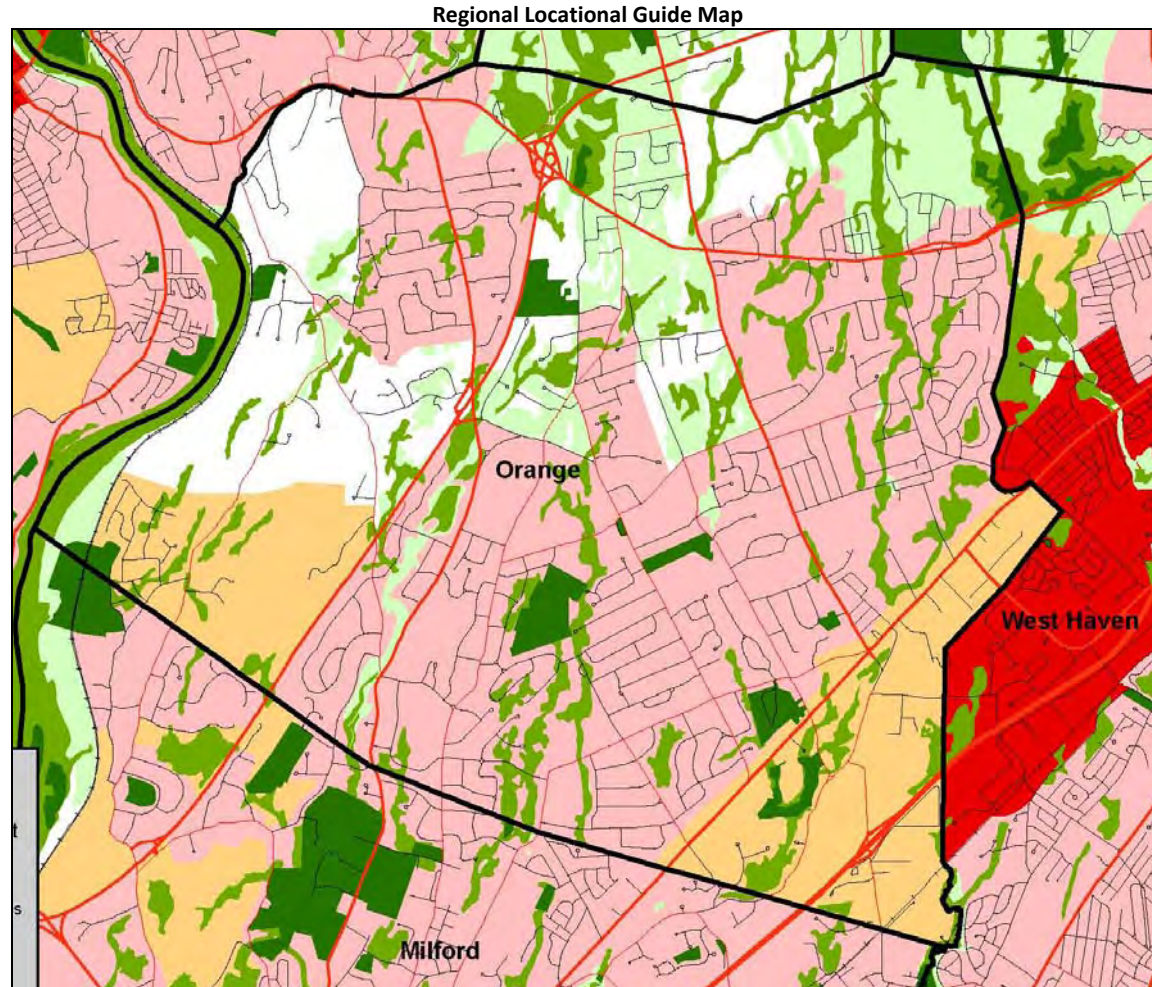
<p>Principle 1 – Redevelop and revitalize regional centers and areas of mixed-land uses with existing or planned physical infrastructure.</p>	<p>FINDING – Consistent</p> <p>The Plan encourages growth in and near the Route 1 corridor and the “economic area” along Interstate 95 where utility infrastructure is available to support it. This includes potential establishment of a “village-type” area with mixed land uses.</p>
<p>Principle 2 – Expand housing opportunities and design choices to accommodate a variety of household types and needs.</p>	<p>FINDING –Consistent</p> <p>The Plan recommends that Orange seek to diversify its housing “portfolio” and address recognized housing needs – housing that is more affordable and housing for an aging population.</p>
<p>Principle 3 – Concentrate development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse.</p>	<p>FINDING – Consistent</p> <p>The Plan continues with the overall zoning framework of more intensive development along and near the Route 1 corridor and the “economic area” along Interstate 95 – both of which are well-served by arterial roads.</p>
<p>Principle 4 – Conserve and restore the natural environment, cultural and historical resources, and traditional rural lands.</p>	<p>FINDING – Consistent</p> <p>The Plan identifies the importance of protecting important community resources such as the natural environment, farm land, open spaces, and historic resources.</p>
<p>Principle 5 – Protect environmental assets critical to public health and safety.</p>	<p>FINDING – Consistent</p> <p>The Plan contains recommendations to protect environmental assets critical to public health and safety. In particular, the Plan stresses the importance of protecting water quality and public water supply watershed lands.</p>
<p>Principle 6 – Integrate planning across all levels of government to address issues on a local, regional, and statewide basis.</p>	<p>FINDING – Consistent</p> <p>The Plan is part of the process of integrating planning with other levels of government and with other agencies. The Plan will be used to coordinate efforts with:</p> <ul style="list-style-type: none"> • adjacent communities, • regional organizations, and • state agencies.

Legend



Regional Plan Of Conservation and Development

In addition, this Plan was compared with the Regional Conservation and Development Plan adopted by the Southeastern Regional Planning Agency and found to be generally consistent with that Plan.



Implementation

Implementation is the main purpose of the planning process. While identification of desirable strategies is important, that effort will only bear fruit if policies are implemented and if tasks or actions are completed. The Plan of Conservation and Development contains two types of recommendations:

- **Policies** – policies are intended to guide local actions and be on-going strategies of the Town. Policies are not discrete activities and do not lend themselves to measurement or recognition as being complete.
- **Initial Tasks** – initial tasks are discrete activities which can be undertaken to accomplish Plan recommendations and policies. These can be measured and recognized as being complete. Over time, it is envisioned that additional tasks will be identified by the Town to help implement recommended policies.

It is intended that the Plan of Conservation and Development be a working document used to implement policies and complete tasks. It should be understood that implementation of the Plan will be a gradual and continual process. While some recommendations should (and will) be carried out in a relatively short period of time, others may be long-term in nature. Further, since some recommendations will involve additional study or a commitment of fiscal resources, their implementation will take place over several years or occur in stages.

Many of the policy recommendations in the Plan of Conservation and Development will be implemented by the Town Plan and Zoning Commission through zoning amendments, application reviews, and other means. Some policy recommendations will require the cooperation of other local boards and commissions such as the Board of Selectmen, Board of Finance, and similar agencies. However, if the Plan is to be successfully realized, the policy recommendations must serve as a guide to all residents, applicants, agencies, and individuals interested in the orderly growth of Orange.

Many sections of the Plan also identify specific tasks or actions which can be itemized, scheduled, managed and completed. Tasks and actions lend themselves to monitoring implementation and measuring progress although they may not be more important than a strategy or a policy. It is hoped that, over time, Orange will continue to identify and undertake new tasks and actions to help implement the Plan.

This type of process (reviewing the Plan and adding new policies and tasks) will help the Plan (and Plan strategies) be relevant over a long timeframe.

Implementation Committee

Some communities have found that a Plan Implementation Committee (PIC) can be effective at coordinating implementation of the Plan.

The PIC includes representatives of various Town boards and commissions meets monthly or quarterly to discuss ways to facilitate or accelerate Plan implementation, assess the status of specific recommendations, evaluate the priorities, and even suggest new implementation techniques.

Orange may wish to consider establishing a Plan Implementation Committee to coordinate implementation of the Plan.

Note – This information was collected during the Fall of 2014 and more current information may be available.

Open Space Inventory

As categorized by the Orange Conservation Commission

Fall 2014

Land Trust – Dedicated Open Space							
#	CODE	M-B-L	OWNER	COMON NAME	Address	Area	Desirable?
1.	DOS	31-6-5	ORANGE LAND TRUST INC	<i>Manley Heights</i>	MANLEY HGTS RD	4.30 AC	
2.	DOS	25-1-33	ORANGE LAND TRUST INC	<i>Hawkins Acres</i>	585 HAWKINS RD	3.52 AC	
3.	DOS	103-1-11	ORANGE LAND TRUST	<i>Derby Avenue</i>	840 DERBY AVE	1.00 AC	
4.	DOS	47-1-10	ORANGE LAND TRUST INC	<i>Wagon Trail</i>	WAGON TR	1.09 AC	
5.	DOS	47-1-11	ORANGE LAND TRUST INC	<i>Wagon Trail</i>	WAGON TR	0.98 AC	
6.	DOS	46-6-6	ORANGE LAND TRUST INC	<i>Fairway Road</i>	505 FAIRWAY RD	1.08 AC	
7.	DOS	46-6-5	ORANGE LAND TRUST INC	<i>Fairway Road</i>	517 FAIRWAY RD	0.94 AC	
8.	DOS	65-2-1	ORANGE LAND TRUST	<i>Kennedy Drive</i>	KENNEDY DR	1.23 AC	
9.	DOS	60-6-1	ORANGE LAND TRUST INC	<i>Arrowhead Drive</i>	GRASSY HILL RD	20.14 AC	
10.	DOS	65-3-1	ORANGE LAND TRUST INC	<i>Russell Avenue</i>	RUSSELL AVE	1.04 AC	
11.	DOS	70-2-10	ORANGE LAND TRUST	<i>Grassy Hill Road</i>	GRASSY HILL RD	1.00 AC	
12.	DOS	70-5-21	ORANGE LAND TRUST INC	<i>Mulberry Lane</i>	MULBERRY LA	5.93 AC	
13.	DOS	72-1-29	ORANGE LAND TRUST INC	<i>Whitney Acres</i>	665 ESTELLE CT	3.16 AC	
14.	DOS	70-5-12A	ORANGE LAND TRUST INC	<i>Kowal Nature Preserve</i>	MAPLEDALE RD	14.74 AC	
15.	DOS	75-1-1A	ORANGE LAND TRUST INC	<i>Hunting Hill Place</i>	HUNTING HILL PL	4.48 AC	
16.	DOS	93-2-1	ORANGE LAND TRUST	<i>Beechwood Road</i>	HILLCREST RD	0.35 AC	
17.	DOS	88-7-4A	ORANGE LAND TRUST	<i>Wepawaug Meadows</i>	GREEN CIR	1.70 AC	
18.	DOS	88-7-5	ORANGE LAND TRUST INC	<i>Wepawaug Meadows</i>	937 GREEN CIR	1.64 AC	
19.	DOS	89-1-6	ORANGE LAND TRUST INC	<i>The Ravine</i>	DERBY AVE	3.00 AC	
20.	DOS	95-1-7A	ORANGE LAND TRUST INC	<i>Gaynor</i>	GARDEN RD	1.55 AC	
TOTAL						72.87 AC	

Note – This information was collected during the Fall of 2014 and more current information may be available.

Town – Dedicated Open Space							
#	CODE	M-B-L	OWNER	COMON NAME	Address	Area	Desirable?
21.	DOS	90-2-1A	TOWN OF ORANGE	<i>Racebrook Tract</i>	RACEBROOK RD	230.00 AC	
22.	DOS	63-2-1-1	TOWN OF ORANGE	<i>Ewen Preserve</i>	LAMBERT RD	43.71 AC	
23.	DOS	80-2-1	ORANGE TOWN OF	<i>Wepawaug Conservation Area</i>	842 MAPLEDALE RD	33.92 AC	
TOTAL						307.63 AC	

Town – Managed Open Space							
#	CODE	M-B-L	OWNER	COMON NAME	Address	Area	Desirable?
1.	TM	11-3-1B	TOWN OF ORANGE		TREAT LA	0.44 AC	
2.	TM	19-3-23	TOWN OF ORANGE		463 PINE TREE DR	1.06 AC	
3.	TM	19-3-22	TOWN OF ORANGE		469 PINE TREE DR	1.02 AC	
4.	TM	19-4-9	TOWN OF ORANGE		468 PINE TREE DR	0.93 AC	
5.	TM	25-1-15	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	WHEELERS FARMS RD	26.00 AC	
6.	TM	25-1-9	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	WHEELERS FARMS RD	27.37 AC	
7.	TM	43-7-4	TOWN OF ORANGE.		SMITH FARM RD	0.92 AC	
8.	TM	43-6-3	TOWN OF ORANGE		SYBIL ST	0.22 AC	
9.	TM	43-6-7	TOWN OF ORANGE		SYBIL ST	0.17 AC	
10.	TM	37-1-5	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	OLD CELLAR RD	18.70 AC	
11.	TM	43-5-20	TOWN OF ORANGE		SYBIL ST	0.46 AC	
12.	TM	43-5-14	ORANGE TOWN OF		DIANA ST	0.23 AC	
13.	TM	43-5-19	TOWN OF ORANGE		DIANA ST	0.81 AC	
14.	TM	43-5-16	ORANGE TOWN OF		DIANA ST	0.19 AC	
15.	TM	37-1-6	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	DERBY MILFORD RD	20.00 AC	
16.	TM	43-5-9	ORANGE TOWN OF		DIANA ST	0.10 AC	
17.	TM	43-5-4	ORANGE TOWN OF		DIANA ST	0.13 AC	
18.	TM	43-5-10	TOWN OF ORANGE		DIANA ST	0.83 AC	
19.	TM	43-5-7	TOWN OF ORANGE		DIANA ST	0.11 AC	
20.	TM	43-5-5	ORANGE TOWN OF		DIANA ST	0.06 AC	
21.	TM	43-5-3	TOWN OF ORANGE		DIANA ST	0.06 AC	
22.	TM	37-1-4	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	584 DERBY MILFORD RD	8.00 AC	

Note – This information was collected during the Fall of 2014 and more current information may be available.

23.	TM	46-5-7	TOWN OF ORANGE		WAGON TR	1.25 AC	
24.	TM	37-1-2A	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	GLENWOOD DR	16.45 AC	
25.	TM	37-1-2	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	GLENWOOD DR	14.55 AC	
26.	TM	47-3-2	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	WHEELERS FARMS RD	10.30 AC	
27.	TM	54-6-1A	TOWN OF ORANGE		NEW HAVEN AVE	0.16 AC	
28.	TM	37-1-1	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	GLENWOOD DR	10.88 AC	
29.	TM	47-3-1	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	WHEELERS FARMS RD	11.00 AC	
30.	TM	55-2-10	TOWN OF ORANGE		NEW HAVEN AVE	0.12 AC	
31.	TM	48-2-3A	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	WHEELERS FARMS RD	17.31 AC	
32.	TM	49-1-11	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	652 DERBY MILFORD RD	16.50 AC	
33.	TM	61-7-4	TOWN OF ORANGE	<i>Wrights Pond</i>	OLD GRASSY HILL RD	43.37 AC	
34.	TM	57-1-1A	TOWN OF ORANGE		WHEELERS FARMS RD	1.11 AC	
35.	TM	59-2-2	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	584 DERBY MILFORD RD	10.20 AC	
36.	TM	59-1-2	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	584 DERBY MILFORD RD	20.37 AC	
37.	TM	59-1-1	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	WHEELERS FARMS RD	131.50 AC	
38.	TM	60-6-1A	TOWN OF ORANGE		700 GRASSY HILL RD	0.62 AC	
39.	TM	61-1-2	TOWN OF ORANGE	<i>Wepawaug Bend</i>	OLD GRASSY HILL RD	5.42 AC	
40.	TM	66-6-14	ORANGE TOWN OF		HOWELLTON RD	3.00 AC	
41.	TM	58-1-12	TOWN OF ORANGE	<i>Housatonic Overlook</i>	WHEELERS FARMS RD	3.20 AC	
42.	TM	59-2-4	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	584 DERBY MILFORD RD	13.85 AC	
43.	TM	58-1-10	TOWN OF ORANGE	<i>Housatonic Overlook</i>	WHEELERS FARMS RD	59.14 AC	
44.	TM	67-1-1	ORANGE TOWN OF	<i>Housatonic Overlook</i>	668 HIGH RIDGE RD	1.23 AC	
45.	TM	76-4-2	ORANGE TOWN OF		DERBY MILFORD RD	1.41 AC	
46.	TM	82-3-8	ORANGE TOWN OF		DERBY AVE	0.12 AC	
47.	TM	85-2-8	TOWN OF ORANGE		RAINBOW TR	0.96 AC	
48.	TM	88-6-9	ORANGE TOWN OF		SYLVAN VALLEY RD	0.79 AC	
49.	TM	76-4-1A	TOWN OF ORANGE		SHORT RD	11.30 AC	
50.	TM	26-3-15	TOWN OF ORANGE	<i>Turkey Hill Preserve</i>	WHEELERS FARMS RD	3.00 AC	
51.	TM	50-3-1A-1	TOWN OF ORANGE		GRASSY HILL RD	8.34 AC	
52.	TM	63-2-1-2A	TOWN OF ORANGE	<i>Ewen Preserve</i>	ST JOHNS DR	0.42 AC	
53.	TM	63-2-1-3A	TOWN OF ORANGE	<i>Ewen Preserve</i>	ST JOHNS DR	0.50 AC	
54.	TM	63-2-1-5A	TOWN OF ORANGE	<i>Ewen Preserve</i>	FARM RIVER RD	1.57 AC	
TOTAL						527.75 AC	

Note – This information was collected during the Fall of 2014 and more current information may be available.

Town – Recreation							
#	CODE	M-B-L	OWNER	COMON NAME	Address	Area	Desirable?
1.	TR	22-1-4	ORANGE TOWN OF	<i>Old Tavern Recreation Area</i>	OLD TAVERN RD	30.57 AC	
2.	TR	29-2-5	TOWN OF ORANGE		PINE TREE DR	2.00 AC	
3.	TR	28-5-3A	TOWN OF ORANGE	<i>Wolfe Park</i>	HOLLOW RD	0.64 AC	
4.	TR	40-5-1	TOWN OF ORANGE	<i>Wolfe park</i>	PECK LA	67.69 AC	
TOTAL						100.9 AC	

Private Open Space							
#	CODE	M-B-L	OWNER	COMON NAME	Address	Area	Desirable?
1.	POS	38-2-8	STATE OF CONNECTICUT		PRUDDEN LA	1.10 AC	
2.	POS	41-3-17	ORANGE CONG. CHURCH	<i>"The Green" (part)</i>	MEETINGHOUSE LA	1.43 AC	2015 POCD
3.	POS	49-3-1	STATE OF CONN		CRANBERRY LA	0.96 AC	
4.	POS	50-1-6	WEPAWAUG SHORES ASSOC	<i>"The Lake"</i>	ARROWHEAD DR	15.03 AC	
5.	POS	59-1-9	STATE OF CONN		538 HUNDRED ACRE RD	0.28 AC	
6.	POS	70-2-11	STATE OF CONN		GRASSY HILL RD	1.11 AC	
7.	POS	83-5-1	STATE OF CONN		DERBY AVE	0.12 AC	
8.	POS	83-7-5	STATE OF CONN		DERBY AVE	0.05 AC	
9.	POS	82-6-3	STATE OF CONN		DERBY AVE	0.18 AC	
10.	POS	83-7-1	STATE OF CONN		DERBY AVE	0.12 AC	
11.	POS	83-8-1	STATE OF CONN		DERBY AVE	0.10 AC	
12.	POS	83-8-2	STATE OF CONN		DERBY AVE	0.06 AC	
13.	POS	84-4-9	STATE OF CONN		DERBY AVE	0.34 AC	
14.	POS	84-4-15	STATE OF CONN		DERBY AVE	0.93 AC	
15.	POS	80-2-6	INTERSERVICE CLUBS OF NH	<i>Camp Cedarcrest</i>	886 MAPLEDALE RD	36.10 AC	
16.	POS	109-1-1	YALE UNIVERSITY		DOGBURN RD	5.50 AC	
TOTAL						63.41 AC	

Note – This information was collected during the Fall of 2014 and more current information may be available.

Facility							
#	CODE	M-B-L	OWNER	COMON NAME	Address	Area	Desirable?
1.	F	30-4-1	TOWN OF ORANGE	<i>South of High Plains</i>	ORANGE CENTER RD	17.30 AC	
2.	F	41-5-15A	ORANGE TOWN OF	<i>Fairgrounds</i>	ORANGE CENTER RD	1.10 AC	
3.	F	41-5-14	TOWN OF ORANGE		555 ORANGE CENTER RD	0.88 AC	
4.	F	41-5-16	ORANGE TOWN OF		525 ORANGE CENTER RD	28.00 AC	
5.	F	41-5-15	ORANGE TOWN OF	<i>Fairgrounds</i>	ORANGE CENTER RD	19.40 AC	
6.	F	41-3-18	ORANGE TOWN OF	<i>"The Green" (part)</i>	ORANGE CENTER RD	1.43 AC	
7.	F	40-4-8	ORANGE CEMETERY ASSOC.		MEETINGHOUSE LA	17.17 AC	
8.	F	51-3-4	ORANGE CEMETERY ASSOC.		ORANGE CENTER RD	12.86 AC	
9.	F	76-5-3	OR SHALOM/B.I.S.C. CEMETERY ASSN		DERBY MILFORD RD	2.20 AC	
10.	F	76-4-7	CATHOLIC CEMETERIES ASSOC.		926 DERBY MILFORD RD	16.76 AC	
11.	F	85-1-1	CATHOLIC CEMETERIES ASSOC.		936 DERBY MILFORD RD	3.20 AC	
TOTAL						120.3 AC	

Private Golf Course							
#	CODE	M-B-L	OWNER	COMON NAME	Address	Area	Desirable?
1.	GC	18-1-10	GRASSY HILL COUNTRY CLUB INC		441 CLARK LA	38.50 AC	2000 POCD
2.	GC	27-6-1	GRASSY HILL COUNTRY CLUB INC		GRASSY HILL RD	76.40 AC	2000 POCD
3.	GC	44-2-25	SMITH WALTER H REALTY CORP		DOGBURN LA	20.70 AC	2000 POCD
4.	GC	43-4-1	SMITH WALTER H REALTY CORP		389 RACEBROOK RD	77.70 AC	2000 POCD
5.	GC	46-2-1&2	GREAT RIVER LLC		WHEELERS FARMS RD	51.30 AC	2015 POCD
6.	GC	81-5-1A	RACEBROOK REALTY CORP		RACEBROOK RD	5.83 AC	2000 POCD
7.	GC	82-7-5	RACEBROOK REALTY CORP		246 DERBY AVE	137.54 AC	2000 POCD
8.	GC	80-4-1	RACEBROOK REALTY CORP		DERBY AVE	137.42 AC	2000 POCD
9.	GC	57-1-1	GREAT RIVER LLC		WHEELERS FARMS RD	2.60 AC	2015 POCD
TOTAL						547.99 AC	

Note – This information was collected during the Fall of 2014 and more current information may be available.

Water Company							
#	CODE	M-B-L	OWNER	COMON NAME	Address	Area	Desirable?
1.	WC	97-4-2	SC REGIONAL WATER AUTH		DERBY AVE	66.93 AC	2000 POCD
2.	WC	106-2-1	SC REGIONAL WATER AUTH		GREENWAY RD	19.20 AC	2000 POCD
3.	WC	93-4-1	SC REGIONAL WATER AUTH		DERBY AVE	9.00 AC	2000 POCD
4.	WC	89-3-1	SC REGIONAL WATER AUTH		ORANGE CENTER RD	1.10 AC	
5.	WC	97-3-2	SC REGIONAL WATER AUTH		GREENWAY RD	46.40 AC	2000 POCD
6.	WC	93-3-33	SC REGIONAL WATER AUTH		DERBY AVE	282.00 AC	2000 POCD
7.	WC	107-2-1	SC REGIONAL WATER AUTH		ORANGE CENTER RD	10.00 AC	2000 POCD
8.	WC	90-2-1	SC REGIONAL WATER AUTH		DERBY AVE	107.80 AC	2015 POCD
TOTAL						542.43 AC	

Total Area	
Land Trust - Dedicated Open Space	72.87 AC
Town - Dedicated Open Space	307.63 AC
Town – Managed Open Space	527.75 AC
Town - Recreation	100.9 AC
Private Open Space	63.41 AC
Facility	120.3 AC
Private Golf Course	547.99 AC
Water Company	542.43 AC
TOTAL	2,283.28 AC

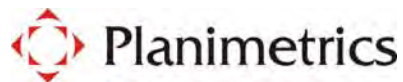
ACKNOWLEDGMENTS

Town Plan and Zoning Commission (TPZ)

Walter "Beau" Clark, IV	Chair
Judy Smith Morgan	Vice Chair
Oscar Parente, Esq.	Secretary
Paul Kaplan, Esq.	
Ralph Aschettino	
William Perfetto	Alternate

Technical and Administrative Assistance Provided By:

Paul Dinice	<i>Zoning Administrator / Enforcement Officer</i>
Tammy Trantales	<i>Administrative Assistant</i>



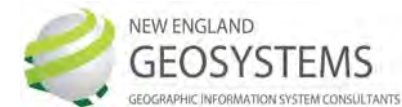
Comprehensive Planning

Glenn Chalder, AICP President



Transportation / Water Quality / Design

Ted DeSantos, PE Sr. Vice President
Erik Mas, PE Vice President
Stephanie White, PLA Sr. Landscape Arch.



GIS / Mapping

Alfredo Herrera GIS Technician
Matt Longyear Senior GIS Analyst

IMPLEMENTATION LEGEND

Abbreviation	Name
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BOE	Board of Education
BOF	Board of Finance
BOS	Board of Selectmen
BPH	Board of Public Health
CC	Conservation Commission
CMLC	Case Memorial Library Commission
CSC	Community Services Commission
DRB	Design Review Board (NEW)
EDC	Economic Development Commission
EMAC	Emergency Management Advisory Council
FD	Fire Department
HDC	Historic District Commission
IWC	Inland Wetlands Commission
MH	Municipal Historian
OBC	Orange Bicycle Committee (NEW)

Abbreviation	Name
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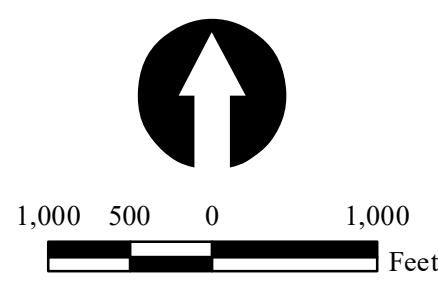
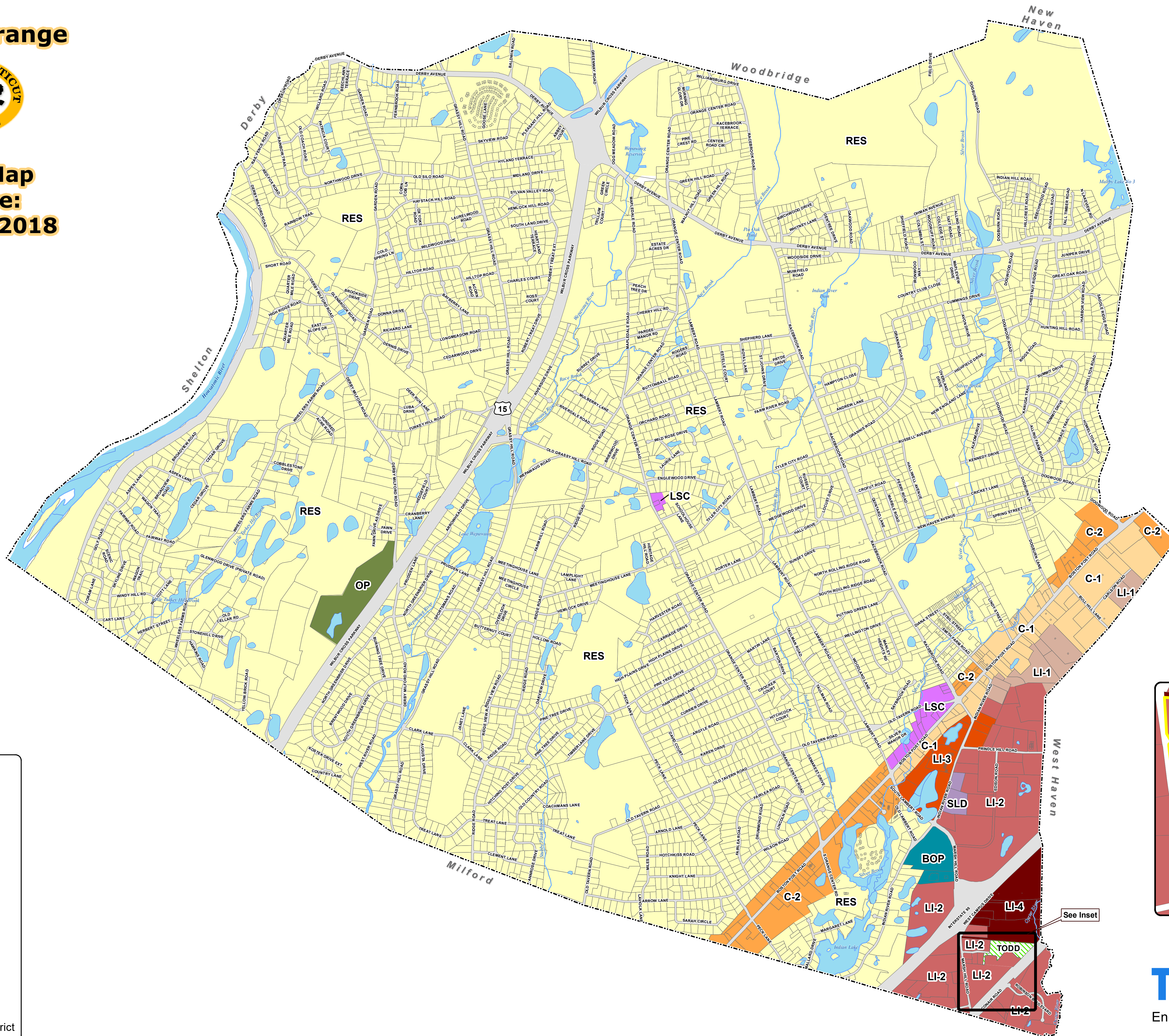
OEDC	Orange Economic Development Corporation
OGAT	Orange Government Access Television
OHS	Orange Historical Society
OLT	Orange Land Trust
PD	Police Department
PIC	Plan Implementation Committee (NEW)
PRC	Park and Recreation Commission
PW	Public Works
SCRCOG	South Central Regional Council of Governments
SCRWA	South Central Regional Water Authority
Staff	Town Staff
TC	Tree Committee
Town	Town Departments and Agencies
TPZ	Town Plan and Zoning Commission
WPCA	Water Pollution Control Authority



Town of Orange



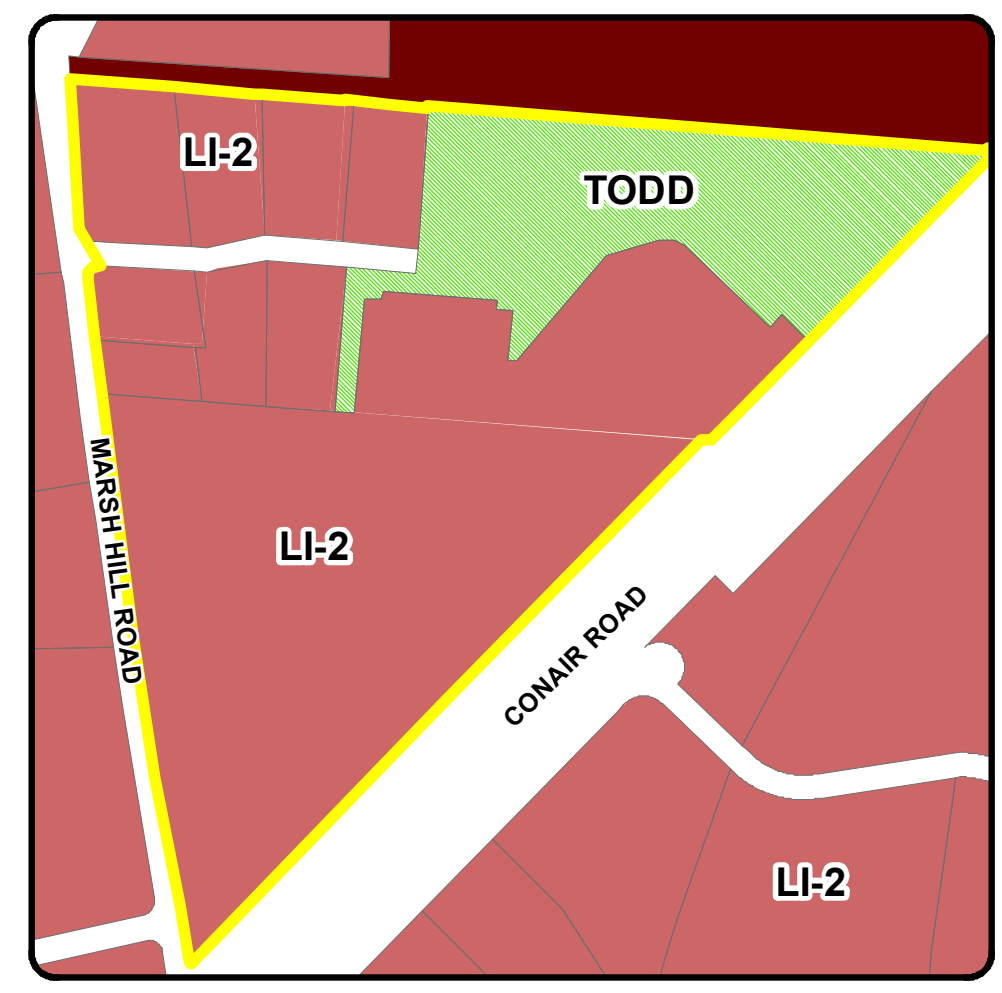
**Zoning Map
Effective:
March 28, 2018**



Legend

	Business Office Park District
	Commercial C-1 District
	Commercial C-2 District
	Light Industrial District #1
	Light Industrial District #2
	Light Industrial District #3
	Light Industrial District #4
	Local Shopping Center District
	Senior Living District
	Office Park District
	Residential
	Transit Oriented Development District

TODD Eligible Area



Tighe & Bond
Engineers | Environmental Specialists

Town of Orange, CT
Tuesday, February 22, 2022

Chapter 383. Zoning

Article I. General Provisions and Administration

§ 383-1. Jurisdiction.

Within the Town of Orange, no land, building or other structure shall be used and no building or other structure shall be constructed, reconstructed, enlarged, extended, moved or structurally altered except in conformity with these Regulations. No lot or land shall be subdivided, sold, encumbered or conveyed so as:

- A. To make said lot or land nonconforming or more nonconforming to these Regulations;
- B. To make any use, building or other structure nonconforming or more nonconforming;
- C. To reduce any setback, yard, open space, or off-street parking and loading spaces to less than is required by these Regulations; or
- D. To make any nonconforming setbacks, yard, open space or off-street parking and loading spaces more nonconforming.

§ 383-2. Certificate of zoning compliance.

No building or other structure, or part thereof, shall be constructed, reconstructed, enlarged, extended, moved or structurally altered until an application for a certificate of zoning compliance has been approved by the Zoning Enforcement Officer. No land, building or other structure, or part thereof, shall be used or occupied, or changed in use, until an application for a certificate of zoning compliance therefor has been approved by the Zoning Enforcement Officer and until a certificate of zoning compliance therefor has been issued by the Zoning Enforcement Officer certifying conformity with these Regulations. No certificate of zoning compliance however, is required for a farm, forestry, truck garden or nursery use when no building or other structure is proposed. All applications for a certificate of zoning compliance shall be submitted and approved in accordance with the provisions of §§ 383-3 through 383-11 and all certificates shall be issued in accordance with said section.

§ 383-3. Zoning Enforcement Officer.

There should be a Zoning Enforcement Officer who shall be appointed by the Commission and whose term of service and compensation shall be established by such Commission. The Zoning Enforcement Officer may also be the Building Inspector of the Town of Orange if so appointed. The Zoning Enforcement Officer shall have the responsibility and authority to enforce the provisions of these Regulations in accordance with any administrative rules and procedures established by the Commission. The Commission may appoint deputy zoning enforcement officers to assist and act for the Zoning Enforcement Officer. No application for certificate of zoning compliance shall be approved and no certificate of zoning compliance, order or other zoning enforcement document shall be issued unless signed or countersigned by the Zoning Enforcement Officer or a deputy zoning enforcement officer.

§ 383-4. Application for certificate of zoning compliance.

- A. Application for a certificate of zoning compliance shall be submitted to the Zoning Enforcement Officer prior to construction, reconstruction, extension, enlargement, moving or substantial alteration of any building or other structure and prior to the use or occupancy of any land, building or other structure. The application shall be accompanied by a plan drawing in duplicate, drawn to scale and showing the following:
- (1) Exact dimensions, area, radii and angles or bearings of the lot;
 - (2) The height, dimensions, use, floor area, ground coverage and location of all buildings and other structures, whether existing or proposed;
 - (3) The location, area and dimension of off-street parking and loading spaces, any barriers required in connection therewith and the means of access to such spaces;
 - (4) The location of any existing or proposed wells and private sewage disposal systems;
 - (5) The location, area and dimensions of any outside storage areas, site development and landscaping features that are subject to the provisions of these Regulations;
 - (6) For a use, building, other structure or site development that involves a disturbed area of 1/2 acre or more, provision for erosion and sediment control in accordance with Article **XXI**, unless a separate soil erosion and sediment control plan is submitted as specified in Article **XXI**; and
 - (7) Such additional information as may be necessary to determine compliance with the provisions of these Regulations.
- B. In addition, the application shall be accompanied by other plans, drawings, data and statements necessary to determine compliance with the provisions of these Regulations.

§ 383-5. Special plans.

In addition to the requirements of § 383-4 and where required by these Regulations under Articles **III** through **XI**, site plans, architectural plans and other special plans and drawings shall be submitted with the application for a certificate of zoning compliance. A site plan, incorporating all of the information required to be shown on the plan drawing specified in § 383-4 may be substituted for such plan drawing.

§ 383-6. Fees.

Each application for a certificate of zoning compliance shall be accompanied by a fee paid to the Town of Orange. All fees are to be determined by the Town Plan and Zoning Commission.

§ 383-7. Referrals.

The following referrals, made by the Zoning Enforcement Officer, are applicable to particular applications for certificate of zoning compliance:

- A. When such application may be approved only after approval of a site plan under Article **XIII** or approval of a special use, temporary special use, special exception or other action of the Commission or Zoning Board of Appeals as specified in these Regulations, a copy of such Application and related applications required by these Regulations shall be referred to the Commission or Board upon receipt.

- B. A copy of any plot plan showing measures for soil erosion and sediment control or of a soil erosion and sediment control plan shall be referred to the Town Engineer or the New Haven County Soil and Water Conservation District for technical review and advisory opinion and for certification in accordance with Article **XXI**.

§ 383-8. Approval and issuance of certificate of zoning compliance.

The Zoning Enforcement Officer shall approve applications for a certificate of zoning compliance and shall issue certificates of zoning compliance when he determines that all requirements of these Regulations have been met, as well as any additional conditions or restrictions imposed by the Commission or the Zoning Board of Appeals. If deemed necessary to determine compliance with these Regulations or any additional conditions or restrictions imposed, and before issuance of a certificate of zoning compliance, the Zoning Enforcement Officer may require the applicant to furnish measurements of any construction features subject to the requirements of these Regulations, including setback distances, which measurements shall be prepared and certified by a land surveyor licensed to practice in the State of Connecticut. Within 10 days after notification by the applicant that the premises are ready for occupancy, or within 10 days after receipt of the certified measurements if required, or, in the case of a use requiring site plan approval pursuant to Article **XIV** within 10 days after an "as-built" site plan prepared in accordance with the formal requirements of §§ **383-117B** and **383-133B**, as appropriate, and demonstrating compliance with the action of the Commission on said application for site plan approval or special use has been submitted to the Zoning Enforcement Officer, the Zoning Enforcement Officer shall issue or deny a certificate of zoning compliance. One copy of the plan drawing or drawings shall be returned by the Zoning Enforcement Officer to the applicant when the application for a certificate is approved. The following additional requirements shall apply to the approval of applications and the issuance of certificates:

- A. Sanitation: Where a proposed use or proposed building or other structure involves the installation, extension, relocation or reconstruction of a private sewage disposal or water supply system, no application for a certificate of zoning compliance shall be approved until plans for such system have been approved by the Director of Health of the Town of Orange or his authorized agent or until the use or building or structure has been provided with connections to a municipal sanitary sewer and/or public water supply system.
- B. Conditions: Any maps, plans, documents, statements, and stipulations submitted to and approved by the Commission or Zoning Board of Appeals in connection with a site plan, special exception, variance or other action of such Commission or Board, shall be conditions for approval of an application for a certificate of zoning compliance by the Zoning Enforcement Officer and issuance by him of a certificate.
- C. Temporary permit: If, in his judgment, the public health and safety will not be impaired, the Zoning Enforcement Officer is authorized to issue a temporary certificate of zoning compliance, having a duration of not more than six months, for the temporary use of land, buildings and other structures in the process of improvement and completion in accordance with an approved application for a certificate of zoning compliance.
- D. Other permits: Approval of an application for a certificate of zoning compliance or the issuance of a certificate shall not be construed to constitute compliance with any other regulation, ordinance or law nor to relieve the applicant from responsibility to obtain any permit thereunder.
- E. Soil erosion and sediment control: When a proposed use, building or other structure or site development involves a disturbed area of 1/2 acre or more, or otherwise when provision for soil erosion and sediment control is required by these Regulations, no application for certificate of zoning compliance shall be approved until a soil erosion and sediment control plan in connection therewith has been certified in accordance with Article **XXI** and no certificate of zoning compliance shall be issued until the soil erosion and sediment control measures have been completed in accordance with the certified control plan.

§ 383-9. Inspections.

The Zoning Enforcement Officer is authorized to inspect or cause to be inspected any land, building or other structure to determine compliance with these Regulations. No certificate of zoning compliance shall be issued until the Zoning Enforcement Officer has inspected the land, building or other structure involved to determine that the use and/or the buildings or other structures conform to these Regulations and any additional conditions or restrictions imposed by the Commission or the Zoning Board of Appeals or constitutes a nonconformity as defined in § 383-13B of these Regulations.

§ 383-10. Orders.

The Zoning Enforcement Officer is authorized to issue a stop-work order if in his judgment the use of land, building or other structures or the construction, reconstruction, enlargement, extension, moving or structural alteration of a building or other structure are not being carried out in compliance with these Regulations; he shall withdraw such order when he determines that there is compliance with these Regulations. The Zoning Enforcement Officer is authorized to order in writing the remedying of any condition found to be in violation of these Regulations.

§ 383-11. Records.

The Zoning Enforcement Officer shall keep records of all fees, all applications and certificates of zoning compliance, all identifiable complaints of any violation of these Regulations, all inspections made under these Regulations and all notices of violation served by him and the action taken thereon.

§ 383-11.1. Performance bonds.

[Added 6-19-2001]

- A. The Commission shall, if required by these regulations, or deemed necessary by the Commission, require a performance bond, in form and amount acceptable to the Commission, or its designated agents, to guarantee performance and completion of all streets, driveways, parking areas, sidewalks, storm drainage systems, retention and detention ponds and/or basins, sewer systems, utility services, landscaping, soil erosion and sediment control, and other essential site improvements, in accordance with the application and plans as approved by the Commission. Said bond shall be sufficient to insure performance of all off-site roadwork, or other improvements within the public right-of-way or other easements and rights-of-way, which improvements are necessary to the use and enjoyment of the property as approved.
- B. Bond amount. The bond shall be in an amount equal to the total of itemized estimate of the cost of the specific improvements to be bonded plus an additional 15% to cover contingencies. The bond may be in the form of a certified check payable to the town, or an irrevocable letter of credit issued by a banking institution acceptable to the Commission having its principal office in the State of Connecticut, which letter of credit shall have no expiration except upon written notice to the Commission, whereupon the Commission shall have the right to draw upon the letter of credit without further requirement and shall further be in form and content acceptable to the Commission and the Town Attorney. Said bond shall be posted with the town, in accordance with the approval by the Commission, for a period set by the Commission not less than the time limit within which the applicant has to complete all improvements.
- C. Partial release. Upon written request of the applicant for reduction or release of the bond, the site shall be inspected by the Town Engineer and/or other appropriate Town officials to determine all of the conditions of approval have been met and if all required site improvements have been satisfactorily completed in accordance with the approved plans. Before the release of any bond,

the Commission may require the applicant to submit an "as built" plan, certifying that all of the required site improvements have been installed in accordance with the approved plans. Based on the findings, the Commission may authorize the reduction or release of said bond and the subsequent issuance of a certificate of zoning compliance. At the time of determination that all bonded improvements have been completed, the Commission shall retain an amount equal to 10% of the itemized amount for landscaping for an additional period of one year to ensure replacement of any shrubs or trees that have died or grass or other ground cover that has died or not grown during that period.

§ 383-12. Zoning Board of Appeals.

- A. Authority: The Zoning Board of Appeals shall have all of the powers and duties prescribed by the General Statutes of the State of Connecticut and by these Regulations, which powers and duties are summarized and more particularly described below, provided however that none of the following summary and description is deemed to alter the powers and duties of the Board as prescribed by law.
- B. Powers and duties: The Zoning Board of Appeals shall have the following powers and duties:
- (1) Decide appeals: To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the Zoning Enforcement Officer. Such appeals shall be made within 15 days of the decision of the Zoning Enforcement Officer by the person, firm, corporation or entity to whom said decision has been directed.
 - (2) Vary the application of the Regulations: To determine and vary the application of the Zoning Regulations in harmony with their general purpose and intent and with the due consideration for the plan of development and for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of the regulations would result in exceptional difficulty or unusual hardships, so that substantial justice will be done and the public safety and welfare secured. Financial hardship alone shall not be considered an exceptional difficulty or unnecessary hardship.
 - (3) Use variances: Use variances may be granted except in the following cases:
 - (a) To authorize in a Residence District a use of land, buildings or other structures, or the enlargement or extension of a use, that is otherwise permitted only in a Commercial, Local Shopping Center, Business Office Park or Light Industrial District; and
 - (b) To authorize a use of land, buildings or other structures that is prohibited in all districts in the town; provided however
 - (c) Where a use of land, buildings or other structures is permitted in a district subject to administrative approval of a site plan by the Commission, a variance in connection with such use may be granted only after submission and action on a site plan in accordance with the provisions of Article XIII; and
 - (d) Where a use of land, buildings or other structures is prohibited in a district but is permitted in another district subject to administrative approval of a site plan by the Commission, a variance to permit such use may be granted only after submission and action on a site plan in accordance with the provisions of Article XIII, but no such variance shall be granted contrary to the provisions of Subsection B(3)(a).
 - (4) Motor vehicle uses: To hear and decide requests for a certificate of approval of location as specified in the General Statutes, such as for gasoline stations, automobile repairers and dealers and other motor vehicle uses.

- (5) Adopt rules and procedures: To adopt rules and procedures necessary to exercise its authority.

C. Procedures:

- (1) Applications: All applications and appeals to the Zoning Board of Appeals shall be filed in a form prescribed by the Board and shall be accompanied by a fee as established by the Board.
- (2) Mailing to adjoining owners: Apart from the hearing notice required by the CT General Statutes, it shall be the administrative procedure of the Zoning Board of Appeals to send by first class mail a copy of the hearing notice to the owners of lots adjacent to and directly across the street from the lot for which an application has been made, such owners being those identified in the application. The mailing, which shall be made at least 10 days prior to the date of the hearing, is a courtesy and is not a substitute for nor intended as notice requirement under the CT General Statutes.
- (3) Public hearing: The Zoning Board of Appeals shall hold a public hearing on all applications and appeals after due notice and within the time prescribed by the CT General Statutes.
- (4) Board action and referral: Action on all requests, applications or appeals shall be taken by the Zoning Board of Appeals in compliance with the time limits set forth in the CT General Statutes. The Board may attach reasonable conditions to the granting of variances to insure compliance with the purpose and intent of the Zoning Regulations.

§ 383-13. Nonconformity.

- A. Intent: It is the intent of these Regulations that nonconformities are not to be expanded, that they should be changed to conformity as quickly as the fair interest of the owners permit and that the existence of any existing nonconformity shall not of itself be considered grounds for the approval of a variance for any other property.
- B. Definitions: A nonconforming use, building or other structure, or lot, is one which existed lawfully, whether by variance or otherwise, on the date these Regulations or any amendment hereto became effective, and which fails to conform to one or more of the provisions of these Regulations or such amendment hereto. No nonconforming use, building or other structure, or lot shall be deemed to have existed on the effective date of these Regulations, or any amendment thereto, unless:
- (1) It was actually in being on a continuous basis on such date; and
- (2) If such nonconformity is a use, such use had not been discontinued within the meaning of Subsection E.
- C. Approved applications and certificates: Unless otherwise specifically provided in these Regulations, nothing in these Regulations shall require any change in the use of any land, building or other structure, or part thereof, or in the area, location, bulk or construction of any building or other structure for which an application for a certificate of zoning compliance shall have been lawfully approved and any required certificate of zoning compliance shall have been lawfully issued even though such use, building or structure does not conform to one or more provisions of these Regulations or any amendment hereto.
- D. Change in plans: Subject to the time limitations of Subsection **D(1)**, nothing in these Regulations shall be deemed to require any change in the proposed use of any land, building or other structure or the area, location, bulk or construction of any building or other structure for which an application for a certificate of zoning compliance has been lawfully approved and any required building permit shall have been lawfully issued even though such proposed use, building or other structure does not conform to one or more provisions of these Regulations or any amendment hereto.

- (1) Time limit: An approved application for a certificate of zoning compliance authorizing a proposed use, building or other structure that does not conform to one or more provisions of these Regulations or any amendment hereto, as described in this Subsection **D**, shall become null and void unless the use authorized thereby shall have been established within one year from the effective date of such Regulations or any amendment thereto when such use does not involve the establishment of a building or other structure for which an application for a certificate of zoning compliance must be approved or the use, building or other structure authorized thereby shall be established and completed within two years from the effective date of such Regulations or any amendment thereto. The Commission may grant extensions of such period each for an additional period not to exceed one year after public hearing for good cause demonstrated to the satisfaction of the Commission.
 - (2) Previous regulations: The provision of Subsection **D** and **D(1)** shall apply to building permits and certificates of occupancy issued under the Zoning Regulations in effect prior to these Regulations.
- E. Discontinuance: No nonconforming use of land which shall have been discontinued for a continuous period of 90 days or for a total of six months during any one-year period shall thereafter be resumed or replaced by any other nonconforming use; no nonconforming use of land and buildings or structures in combination which shall have been discontinued for a continuous period of six months or for a total of 18 months during any three-year period shall thereafter be resumed or replaced by any other nonconforming use. No nonconforming use of land, buildings or other structures which shall have been discontinued with intent to abandon said use shall thereafter be resumed or replaced by any other nonconforming use.
- F. Repair: Nothing in this section shall be deemed to prohibit work on any nonconforming building or other structure when required by law to protect the public health or safety, provided that such work does not increase the nonconformity. Nothing in this section shall be deemed to prohibit work on ordinary repair and maintenance of a nonconforming building or other structure or replacement of existing materials with similar materials.
- G. Enlargement: No nonconforming use of land shall be enlarged, extended or altered, and no building or other structure or part thereof devoted to a nonconforming use shall be enlarged, extended, reconstructed or structurally altered, except where the result of such changes is to reduce or eliminate the nonconformity. No nonconforming use of a building or other structure shall be extended to occupy land outside such building or other structure or space in another building or other structure. No nonconforming building or structure shall be enlarged, extended, reconstructed or structurally altered, if the result would be an increase in nonconformity.
- H. Moving: No nonconforming use of land shall be moved to another part of a lot or outside the lot, and no nonconforming use of a building or other structure shall be moved or extended to any part of the building or other structure not manifestly arranged and designed for such use at the time the use became nonconforming, and no building or other structure containing a nonconforming use shall be moved, unless the result of any such move is to end the nonconformity. No nonconforming building or structure shall be moved unless the result of such moving is to reduce or eliminate its nonconformity.
- I. Change: No nonconforming use of land, buildings or other structures shall be changed to any use which is substantially different in nature and purpose from the former nonconforming use except such uses that are permitted uses in the district in which they are to be located. No nonconforming use of land, buildings or other structures if once changed to conform or to more nearly conform to these Regulations shall thereafter be changed so as to be less conforming again. No nonconforming building or structure if once changed to conform or more nearly conform to these Regulations shall thereafter be changed so as to be nonconforming or less conforming again.
- J. Casualty: If any nonconforming building or other structure or any building or structure containing a nonconforming use shall be destroyed by fire or other casualty to an extent of more than 75% of its assessed valuation on the last completed tax assessment list of the Town of Orange, such building or other structure shall not be reconstructed or repaired and such use shall not be

resumed unless the building, structure and use are made to conform in all respects to these Regulations. Where the destruction is 75% or less of its assessed valuation, as above determined, the building or other structure may be reconstructed or repaired and any nonconforming use resumed, provided that such reconstruction is started within a period of six months from such casualty and is diligently prosecuted to completion. In the event of failure to start such reconstruction or repair within a period of six months from such casualty and to complete the same within one year from such casualty, or within such additional periods, not exceeding six months each, as the Commission with due cause may grant upon written application made to it, the right under this paragraph to reconstruct or repair such building or other structure and the right to resume such nonconforming use shall be lost and terminated.

- K. Lots: A parcel of land, which existed on the effective date of these Regulations, and which fails to meet the area, shape or frontage or any applicable requirements of these Regulations pertaining to lots, may be used as a lot, and a building or other structure may be constructed, reconstructed, enlarged, extended, moved or structurally altered thereon, provided that all of the following requirements are met:
- (1) The use, building or other structure shall conform to all other requirements of these Regulations;
 - (2) If used for a dwelling, the lot shall contain a minimum area of 10,000 square feet; and
 - (3) If the parcel fails to meet the area requirements of these Regulations, the owner of the parcel shall not also be the owner of contiguous land which in combination with such parcel that fails to conform would make a parcel that conforms or more nearly conforms to the area requirements of these Regulations pertaining to lots.
- L. Title: No change of title, possession or right of possession shall be deemed to affect right to continue a nonconforming use, building or other structure.
- M. Performance standards: Any use, building or other structure which does not conform to one or more of the performance standards of Article **XVII** shall not be changed to increase such nonconformity but may be changed to decrease or eliminate such nonconformity. Any such nonconformity so reduced or eliminated shall not be resumed.
- N. Signs: Signs of a size or type not permitted in the district in which they are situated, or which are improperly located or illuminated, or which are nonconforming in any other way, shall be considered nonconforming structures under this section, and any increase in size, illumination or flashing of such signs shall be deemed to be a prohibited enlargement or extension constituting an increase in nonconformity.
- O. Off-street parking and loading: Any lot, use, building or other structure which does not conform to one or more of the parking and loading provisions of Article **XVIII** shall continue to conform to such provisions to the extent that it conforms on the effective date of such section. Any use of land, buildings or other structures which does not conform to one or more of the provisions of Article **XVIII** shall not be changed to a use which would need additional off-street parking or loading spaces to comply with the provisions of Article **XVIII** unless such spaces are provided as required for the new use under Article **XVIII** and unless all other applicable requirements of these Regulations are met.

§ 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:

BUILDING

Any structure having a roof.

COMMISSION

The Town Plan and Zoning Commission of the Town of Orange, Connecticut.

COVERAGE BY BUILDINGS AND STRUCTURES

The aggregate ground coverage by buildings and other structures is measured from the outermost edge of the building or structure, projected to nadir but excluding any architectural projections that may be permitted to extend into the area required for setback from a street line, property line, or Residence District boundary line and also excluding buildings and structures that are completely below the finished grade of the lot.

DETACHED GARAGE

A structure detached and separated from, and having no common wall with, the primary dwelling. A garage is permitted only to service the primary dwelling. It must not exceed 675 square feet. A larger ground coverage is permitted subject to approval of a special use in accordance with the provisions of § 383-261(3)(a) and Article XIV. The garage must not exceed 15 feet in height. The garage must not be located within any easements on the property. The garage must be used by a resident of the property for the storage of vehicles, property maintenance equipment, and/or recreational equipment. The garage must contain functioning rolling door(s), or folding door(s), or swinging door(s) which can accommodate an automobile. The door(s) shall have a minimum dimension of seven feet in width. The exterior finish, roof, roof lines, and roof pitch of all structures exceeding 300 square feet shall match as closely as possible the exterior finish of the primary dwelling. With the exception of a bathroom, the garage must not contain any finished livable floor area.

[Added 10-4-2011]

DWELLING

A building containing one or more dwelling units.

DWELLING, MULTIPLE UNIT

A building used for occupancy by two or more families living independently of each other and containing two or more dwelling units. A detached residential building containing two or more dwelling units, including what is commonly known as an apartment building, but not including group, row, or townhouses.

DWELLING, SINGLE-FAMILY ATTACHED

One of two or more residential buildings having a common or party wall separating dwelling units. A building containing dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by party walls without openings. The term is intended primarily for such dwelling types as townhouses and duplexes.

DWELLING UNIT

A building or part of a building designed for occupancy, or so occupied, by one family. Accommodations occupied for transient lodging in a hotel or motel shall not be considered to be a dwelling unit.

DWELLING UNIT, AFFORDABLE

See Article XII.

DWELLING UNIT, SENIOR INDEPENDENT LIVING

A dwelling unit, including single-family attached and multiple family dwelling units which are permanently deed restricted in accordance with § 383-96.27, for use by occupants aged 62 and older.

[Added 3-20-2018]

ELDERLY ASSISTED LIVING RESIDENTIAL FACILITY

A residential facility for assisted living as contemplated by Section 19-13-D105 of the Regulations of Connecticut State Agencies and the facility shall be managed by an Assisted Living Service Agency as defined in Section 19a-490(l) of the Connecticut General Statutes under a license issued by the Connecticut Department of Public Health under Section 19a-491 of the Connecticut General Statutes, as such statutes and regulations may be amended from time to time. Such facility shall be limited to those persons 62 years of age or older; or persons younger than 62 years of age with a physical or mental impairment which substantially limits one or more major life activities.

[Amended 3-20-2018]

ELDERLY ASSISTED LIVING RESIDENTIAL FACILITY

A residential facility for assisted living as contemplated by Section 19-13-D105 of the Regulations of Connecticut State Agencies and the facility shall be managed by an Assisted Living Service Agency as defined in Section 19a-490(l) of the Connecticut General Statutes under a license issued by the Connecticut Department of Public Health under Section 19a-491 of the Connecticut General Statutes, as such statutes and regulations may be amended from time to time. Such facility will be limited to those persons 62 years of age or older.

FAMILY

A person or a group of related persons, plus guests and domestic servants thereof, or a group of not more than six persons who need not be so related, who are living as a single housekeeping unit maintaining a common household. A roomer or boarder to whom rooms are let and/or board is furnished as permitted by these Regulations shall not be considered a member of a family for the purpose of this definition.

FARM WINERY

Any place or premises, comprising a minimum of 10 acres on which fruit is grown and wine/wine products (limited to wine and brandies distilled from grape products and other fruit products, including grappa and eau-de-vie) are manufactured, stored and sold, meeting the permit requirements of Connecticut General Statutes § 30-16 (as amended) and applicable definitions and guidance of Title 22 (as amended) of the Connecticut General Statutes.

[Added 2-5-2019]

FLOOR AREA, DWELLING OR DWELLING UNIT

- (1) In determining compliance with minimum floor area requirements for dwellings and dwelling units, only finished livable floor area having a ceiling height of at least seven feet four inches shall be counted, except that in a half-story not more than 400 square feet of floor area may be counted, provided it has a ceiling height of at least five feet. The following shall not be included in the computation of finished livable floor area:
 - (a) Garages;
 - (b) Outside vestibules; bay windows;
 - (c) Any basement rooms, the full walls of which are not above ground level;
 - (d) Utility rooms for heating apparatus;
 - (e) Attics;
 - (f) Terraces; open porches; enclosed porches not heated by a central heating system for the dwelling; and
 - (g) Hallways and other space designed for common use by occupants of two or more dwelling units.
- (2) Measurements of floor area for any dwelling or dwelling unit shall be taken from the inside surfaces of exterior walls or partitions enclosing the floor area. Any floor, other

than a ground floor, must have access thereto by a permanent inside stairway to be included in computing floor area.

FLOOR AREA, MAXIMUM

In computing the total floor area of all buildings and other structures on any lot to determine compliance with maximum floor area provisions, measurements of floor area shall be taken to the outside surfaces of exterior walls enclosing the floor area.

FUN HOUSES, HAUNTED HOUSES AND OTHER SIMILAR ATTRACTIONS

Any indoor or outdoor structure, facility, attraction and/or use, for the gathering of persons for the purpose of entertainment or amusement with the following design: The structure and/or use would include a maze, series of rooms, passageways, or labyrinth; where participants would "walk past" various devices, scenes, and theatrical productions, that would frighten, bewilder and/or amuse. This use is permitted only in the Residential RES District. Said uses shall not occur more than two calendar days per year at any location. Such uses require the approval of the Orange Fire Marshal, Zoning Enforcement Officer, and any other applicable municipal departments as determined by the Z.E.O.

[Added 4-2-2013]

HALF-STORY

That portion of a building between the surface of a sloping roof and the floor next below, in which the points of intersections of the bottom of the rafters with the interior surfaces of the walls are not less than four feet above the floor level, and which contains a floor area no greater than 50% of the area of the floor next below; not less than 50% of the half-story floor area shall have a ceiling height of at least seven feet four inches. For buildings with flat roofs, a half-story is the upper most story which contains a floor area no greater than 50% of the area of the floor next below.

HEIGHT

In measuring the height of a building or other structure to determine compliance with the maximum height provisions, measurement shall be taken from the ground elevation datum consisting of the average elevation of the finished grade of the lot within 10 feet of, and around, the perimeter of the building or structure to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip, and gambrel roofs. A separate ground elevation datum is applicable to each building or structure on a lot. When any two buildings having different ground elevation datum are interconnected, such as by common areas, other floor area or other architectural features or structures, the ground elevation datum applicable to the interconnection is the same as the building having the lower ground elevation datum.

IMPERVIOUS SURFACE

Any material that substantially reduces or prevents the infiltration of storm water into previously undeveloped land. Impervious surface shall include graveled driveways and parking areas. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

JUNK YARD

Includes any junkyard, motor vehicle junk business and motor vehicle junkyard as defined in the General Statutes of the State of Connecticut. The term shall also include any place of storage or deposit, whether in connection with a business or not, for one or more used motor vehicles which are either no longer intended, or in condition, for legal use on the public highways and shall also include any place of storage or deposit of used parts of motor vehicles and old metals, iron, glass, paper, cordage and other waste materials which on any lot have an aggregate bulk equal to one automobile.

KENNEL

Shall have the same meaning as defined in the General Statutes of the State of Connecticut and shall include commercial kennel as defined in such Statutes.

LOT

A parcel of land which is either:

- (1) Owned separately from any contiguous parcel as evidenced by fee conveyance recorded in the land records of the Town of Orange; or
- (2) Is a building lot shown on a subdivision map, approved by the Commission and filed in the office of the Orange Town Clerk.

LOT AREA AND SHAPE

In determining compliance with minimum lot area and shape requirements of these Regulations, land subject to conservation easements, sight easements and easements for drainage facilities, sanitary sewer facilities, public utility distribution lines and underground public utilities may be included, but no right-of-way for a street or highway, easement of vehicular access, private right-of-way for vehicles or easement for above ground public utility transmission lines may be included for compliance with minimum lot area and shape. The following are also applicable in determining compliance:

[Amended 2-17-2004]

- (1) Area consisting of wetlands and watercourses, including ponds and lakes:
 - (a) Shall not be used for compliance with more than 10% of the minimum lot area requirement specified in the district.
 - (b) Shall not be used for compliance with more than 10% of the required minimum shape consisting of a square with the minimum dimension specified in the district.
 - (c) In a residence district shall be excluded from lot area in determining eligible square footage of all building and other structures on the lot and eligible ground coverage by buildings and other structures on the lot.
- (2) Area consisting of slopes in excess of 25% grade, greater than 1,000 square feet, at predevelopment conditions:
 - (a) Shall not be used for compliance with the minimum Lot area requirement specified in the district.
 - (b) Shall not be used for compliance with the required minimum shape consisting of a square with the minimum dimension specified in the district; and
 - (c) In a residence district shall be excluded from lot area in determining eligible square footage of all building and other structures on the lot and eligible ground coverage by buildings and other structures on the lot.
- (3) Land in two or more zoning districts may be used to satisfy a minimum lot area requirement provided that the requirement of the district requiring the largest lot area is met, but no land in a Residence District shall be used to satisfy a minimum lot area requirement or minimum lot shape requirement in any other district.

LOT, CORNER

A lot having lot lines formed by the intersection of two streets, whether public or private, and where the interior angle of such intersection is less than 135°. A lot fronting on a curved street shall also be considered a corner lot if the central angle of the curve is less than 135°.

MIXED USE RESIDENTIAL DEVELOPMENT

A development on one site consisting of residential dwelling units in combination with either retail use or office use, or in combination with both retail and office use.

NONCONFORMING USE, BUILDING, STRUCTURE OR LOT

See § 383-13B.

OPEN SPACE, USABLE

Space on a lot or parcel that is:

- (1) Unoccupied by principal or accessory buildings above the finished grade;
- (2) Unobstructed to the sky;
- (3) Not devoted to service driveways, service areas, off-street parking at finished grade or loading areas;
- (4) Devoted to landscaping, active or passive recreation and other like uses;
- (5) Made available in the same proportion to all occupants of the building or buildings on the lot or parcel;
- (6) Not classified as wetland; and
- (7) Does not exceed a 35% slope.

OUTSIDE STORAGE

The outside storage or display of merchandise, supplies, machinery and materials and/or the outside manufacturing, processing or assembling of goods, but excluding areas for parking of registered motor vehicles in daily use.

PROFESSIONAL SCHOOL

An accredited school that awards advanced academic degrees (i.e., master's degree, MBA, Ph.D.) with the general requirement that students must have earned a previous undergraduate (bachelor's) degree.

[Added 6-21-2011]

PROPERTY LINE, REAR

Any property line which is parallel to or within 45° of being parallel to a street line, except for a lot line that is itself a street line, and except that in the case of a corner lot, only one lot line shall be considered a rear property line.

PROPRIETARY COMMERCIAL OR TECHNICAL SCHOOL

A for-profit school providing post-secondary training in business, technical or commercial skills, including, but not limited to, information technology, computer repair, office administration, medical billing and coding.

[Added 6-21-2011]

RESIDENTIAL DEVELOPMENT, MIXED USE

A development on one site consisting of residential development as ordered by Article XII, Planned Residential Development (PRD) Regulations, and either retail or office use as limited by Article XII, PRD Regulations.

RESTAURANT, INDOOR

Restaurants and other food and beverage service establishments where customers are served only when seated at tables or counters and all of the customer seats are located within an enclosed building. Such uses may include a food take-out service, by a special permit, incidental to the primary intended use, but shall not include the following:

- (1) Establishments where customers are served primarily at food take-out counters;
- (2) Establishments where customers are served at drive-through windows or by restaurant "car hop" employees outside of the enclosed structure; and

- (3) Establishments where customers are served in a manner intended for consumption of food at outside picnic or dining areas.

SIGN

See § 383-185.

SOIL EROSION AND SEDIMENT CONTROL PLAN

See § 383-204, including related definitions.

STORY

That portion of a building between the surface of any floor and the surface of the floor, ceiling, or roof next above. When not used for human occupancy, penthouses enclosing mechanical equipment on the roof of a building and attics are not considered a story. When the ceiling of a basement is less than five feet above the ground elevation datum for the building, the basement is not considered a story; provided, however, that in a BOP District a basement used primarily for parking of motor vehicles may have a ceiling that exceeds such five feet of height over as much as 25% of the basement floor area and is not considered a story.

STREET

Any public way duly accepted by the Town of Orange, any state highway, except limited access state highway, or any street shown on a subdivision map approved by the Commission and filed in the office of the Orange Town Clerk.

STREET LINE

The right-of-way easement or taking of any street or of any easement of vehicular access or private right-of-way 25 feet or more in width.

STREET WIDTH

The distance between the street lines.

STRUCTURE

Anything constructed or erected which has a permanent location on the ground, or anything attached to something having a permanent location on the ground. The term "structure" shall include outdoor swimming pools, tool sheds, storage sheds, bath houses, wood piles in excess of 125 cubic feet, barns, garages and carports which are not permanently affixed to the ground. The term shall not include fences or walls six feet or less in height, necessary retaining walls, flagpoles or utility poles.

TRAILERS

Includes any vehicle or contrivance which is used, or designed for use, for human habitation and which is or may be mounted on wheels and which is or may be propelled, either by its own power or by another power-driven vehicle, and whether resting on wheels, jacks or a foundation, the term "trailer" shall include mobile home, camper and camp trailers used, or designed for use, for human habitation. The following additional provision shall apply to trailers:

[Amended 5-7-2019]

- (1) On any lot, one trailer may either be parked or stored in a garage or other building accessory to a permitted use on the lot or parked or stored so as not to extend within less than 25 feet of any property line or within the area required for setback of accessory buildings from any street line. The owner of the trailer shall also be the owner or occupant of a dwelling or other permitted use on the lot.
- (2) A trailer may be used as an office in connection with and for the duration of a construction project on the lot where the trailer is located, provided that such trailer is located so as to meet all of the setback requirements for buildings and other structures and is removed within 30 days after completing the project. In no event shall a trailer used in accordance with this subsection be located on a lot for more than 90 days except

upon the granting of a special use permit or unless such temporary use is part of an approved site plan.

VETERINARY CLINIC

An establishment providing outpatient care for animals under the direct supervision of a licensed veterinarian. The care provided cannot include overnight stays or any radiographic use. The establishment cannot have outdoor enclosures for animals or store any medical gas in pressurized containers.

VETERINARY HOSPITAL

An establishment providing outpatient and inpatient care for animals under the direct supervision of a licensed veterinarian. Care provided can include overnight stays, the use of gas inhalation anesthesia and radiographic use. Veterinary hospitals cannot operate as a routine boarding facility.

WATER COURSES

Consists of water courses as defined in Chapter **381**, Inland Wetlands and Water Courses Regulations, of the Town of Orange, as may be amended from time to time.

WETLANDS

Consists of wetlands as defined in Chapter **381**, Inland Wetlands and Water Courses Regulations, of the Town of Orange, as may be amended from time to time.

§ 383-15. Enumeration of districts.

[Amended 6-15-2010; 6-21-2011]

For the purpose of these Regulations, the Town of Orange is hereby divided into the following classes of districts:

District	Map Code
Residence	RES
Commercial C-1 District	C-1
Commercial C-2 District	C-2
Local Shopping Center LSC District	LSC
Light Industrial District #1	LI-1
Light Industrial District #2	LI-2
Light Industrial District #3	LI-3
Light Industrial District #4 ^[1]	LI-4
Light Industrial District #5	LI-5
Business Office Park District	BOP
Office Park District	OP

[1] *Editor's Note: The Light Industrial District #4 was added to this list pursuant to an ordinance adopted 2-5-2008.*

§ 383-16. Zoning Map.

[Amended 9-17-2013]

The boundaries of the districts specified in § **383-15** are hereby established as shown on a map entitled "Zoning Map of the Town of Orange, Connecticut," dated September 25, 2013, including any special maps and boundary descriptions supplementary thereto and any amendments thereof, which map is hereby declared to be a part of these Regulations and is herein referred to as "Zoning Map."^[1]

[1] *Editor's Note: The Zoning Map is included at the end of this chapter.*

§ 383-17. Interpretation of Map.

Where a question arises as to the exact boundaries of a district shown on the Zoning Map, the Commission shall by resolution determine the location of the boundary, giving due consideration, among other factors, to the indicated location of the boundary on the Zoning Map, the scale of the Zoning Map and the expressed intent and purposes of these Regulations.

§ 383-18. Extension of use.

Where the boundary of a district divides a lot, the existence of which lot is evidenced by deed or deeds recorded in the land records of the Town of Orange on the effective date of these Regulations or on the effective date of any amendment of these Regulations establishing such boundary, the Commission may approve a special use authorizing a use of land, buildings and other structures permitted in one district to be extended into the other district for a distance of not more than 50 feet in accordance with the provisions of Article **XIV**.

§ 383-19. Permitted uses.

- A. Uses: Land, buildings and other structures in any district may be used for one or more of the uses listed as permitted in the district under Articles **III** through **XI**. Uses listed as special uses are permitted in the district subject to the approval of the Commission in accordance with the provisions of Article **XIV**. To further assist in the interpretation of permitted uses, certain uses are listed as prohibited in a district, even though the listing of prohibited uses is not intended to be exhaustive; any use not specified as permitted in the district is prohibited. The following uses are specifically prohibited in all districts:
- (1) The use or occupancy of a trailer or tent as a dwelling; the parking or storage of a trailer except in accordance with the provisions of § **383-14**.
 - (2) Commercial kennels, commercial piggeries and mink farms.
 - (3) The outdoor storage in any Residence District of any inoperable motor vehicle whether registered or not.
 - (4) The outdoor accumulation or storage of trash, rubbish, debris, building materials, inoperable motor vehicles, parts of motor vehicles or construction equipment in such a manner as to be offensive to the sight of the general public or to adjoining owners, or depreciate the value of property other than the lot where the accumulation or storage is located.^[1]

[1] *Editor's Note: Former Subsection A(5), regarding planned residential developments, which immediately followed this subsection, was repealed 10-4-2000.*
 - (5) Cannabis establishments and medical marijuana dispensaries and producers: The Orange Plan and Zoning Commission shall not accept or consider any application to permit the establishment of a cannabis establishment as defined below or for medical marijuana producers, dispensary facilities, and/or retail distribution as defined in § 21a-408 and §§ 21a-408-1 to 21a-408-70 of the Connecticut General Statutes for a period of 12 months commencing from the effective date of November 5, 2021. All such uses shall be prohibited in all zoning districts within the Town of Orange. The moratorium is to allow the Plan and Zoning Commission sufficient time to review the State of Connecticut Regulation of the Department of Consumer Protection Concerning Palliative Use of Marijuana and the June 2021 Connecticut Public Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (Public Act 21-1, Senate Bill No. 1201) in order to consider the adoption of potential changes to the Zoning Regulations pursuant to § 8-2 of the Connecticut General Statutes and

§ **383-210** of the Orange Zoning Regulations. The expiration date of said moratorium will be November 5, 2022, or the effective date of associated newly adopted zoning regulations, whichever is sooner. "Cannabis" shall mean marijuana, as defined in § 21a-240 of the Connecticut General Statutes. "Cannabis establishment" shall mean a producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, delivery service or transporter as defined in the June 2021 Connecticut Public Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (Public Act 21-1, Senate Bill No. 1201).

[Added 11-3-2021]

- B. Performance standards: The use of land, buildings and other structures, wherever located, shall be established and conducted so as to conform to the performance standards specified in Article **XVII**.
- C. Parking and loading: As specified in Article **XVIII**, parking and loading spaces shall be provided off the street in connection with certain uses of land, buildings and other structures. In addition, all off-street parking and loading spaces shall conform to the requirements of Article **XVIII**.

Select Language | ▼

Town of Orange, CT
Tuesday, February 22, 2022

Chapter 381. Inland Wetlands and Water Courses Regulations

[HISTORY: Adopted by the Inland Wetlands Agency (now the Inland Wetlands and Water Courses Commission) of the Town of Orange 6-26-1974, as last amended 7-11-2000. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Inland Wetlands and Water Courses Commission — See Ch. 81.

Flood damage prevention — See Ch. 223.

Land use applications — See Ch. 270.

Subdivision regulations — See Ch. 382.

Zoning — See Ch. 383.

Article I. Title and Authority

§ 381-1. Purpose.

The inland wetlands and water courses of the State of Connecticut are an indispensable and irreplaceable but fragile natural resource with which the citizens of the state have been endowed. The wetlands and water courses are an interrelated web of nature essential to an adequate supply of surface and underground water; the recharging and purification of groundwater; and to the existence of many forms of animal, aquatic and plant life. Many inland wetlands and water courses have been destroyed or are in danger of destruction because of unregulated use by reason of the deposition, filling or removal of material, the diversion or obstruction of water flow, the erection of structures, and other uses, all of which have despoiled, polluted and eliminated wetlands and water courses. Such unregulated activity has had, and will continue to have, a significant, adverse impact on the environment and ecology of the State of Connecticut and has and will continue to imperil the quality of the environment thus adversely affecting the ecological, scenic, historic, and recreational values and benefits of the state for its citizens now and forever more. The preservation and protection of the wetlands and water courses from random, unnecessary, undesirable, and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare, and safety of the citizens of the state. It is, therefore, the purpose of these regulations to protect the citizens of the state by making provisions for the protection, preservation, maintenance, and use of the inland wetlands and water courses by minimizing their disturbance and pollution; maintaining and improving water quality in accordance with the highest standards set by federal, state or local authority; preventing damage from erosion, turbidity, or siltation; preventing loss of fish and other beneficial aquatic organisms, wildlife, and vegetation and the destruction of the natural habitats thereof; deterring and inhibiting the danger of flood and pollution; protecting the quality of wetlands and water courses for their conservation, economic, aesthetic, recreational, and other public and private uses and values; and protecting the state's potable fresh water supplies from the dangers of drought, overdraft, pollution, misuse, and mismanagement by providing an orderly process to balance the need for the economic growth of the state and the use of its land with the need to protect its environment and ecology in order to forever guarantee to the people of the State of Connecticut, the safety of such natural resources for their benefit and enjoyment and for the benefit and enjoyment of generations yet unborn.

§ 381-2. Regulations named.

These regulations shall be known as the "Inland Wetlands and Water Courses Regulations for the Town of Orange, Connecticut."

§ 381-3. Commission established.

The Inland Wetlands and Water Courses Commission for the Town of Orange was established in accordance with an ordinance adopted March 26, 1974, and shall implement the purposes and provisions of the Inland Wetlands and Water Courses Act in the Town of Orange.

§ 381-4. Adopted regulations may be amended.

These regulations have been adopted and may be amended from time to time in accordance with the provisions of the Inland Wetlands and Water Courses Act and these regulations.

§ 381-5. Enforcement.

The Commission shall enforce all provisions of the Inland Wetlands and Water Courses Act and shall approve with or without modifications, or deny permits for all regulated activities on inland wetlands and water courses in the Town of Orange pursuant to Sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, as amended.

Article II. Definitions

§ 381-6. Definitions.

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

ACT

The Inland Wetlands and Water Courses Act, Sections 22a-36 through 22a-45 of the Connecticut General Statutes, as amended.

BOGS

Usually distinguished by evergreen trees and shrubs underlain by peat deposits, poor drainage, and highly acidic conditions.

CLEAR-CUTTING

The harvest of timber in a fashion which removes all trees down to a two-inch diameter at breast height.

COMMISSION

The Inland Wetlands and Water Courses Commission of the Town of Orange.

COMMISSIONER OF ENVIRONMENTAL PROTECTION

The Commissioner of the State of Connecticut Department of Environmental Protection.

CONTINUAL FLOW

A flow of water which persists for an extended period of time; this flow may be interrupted during periods of drought or during the low flow period of the annual hydrological cycle, June through September, but it recurs in prolonged succession.

DEPOSIT

Includes, but shall not be limited to, fill, grade, dump, place, discharge, or emit.

DESIGNATED AGENT

The Wetlands Enforcement Officer of the Town of Orange or any other individual designated by the Commission to carry out its functions and purposes.

DISCHARGE

Emission of any water, substance, or material into wetlands or water courses whether or not such substance causes pollution.

DISTURBING THE NATURAL AND INDIGENOUS CHARACTER OF THE LAND

The activity will significantly alter the inland wetlands and water courses by reason of removal or deposition of material, clear-cutting, alteration or obstruction of water flow, or will result in the pollution of the wetlands or water courses.

ESSENTIAL TO THE FARMING OPERATION

The activity proposed is necessary and indispensable to sustain farming activities on the farm.

FARMING

Use of land for the growing of crops, raising of livestock or other agricultural use.

FEASIBLE

Able to be constructed or implemented consistent with sound engineering principles.

LICENSE

The whole or any part of any permit, certificate of approval or similar form of permission which may be required of any person by the provisions of these regulations under the authority of the Commission.

MANAGEMENT PRACTICE

A practice, procedure, activity, structure or facility designed to prevent or minimize pollution or other environmental damage or to maintain or enhance existing environmental quality. Such management practices include but are not limited to erosion and sedimentation controls; restrictions on land use or development; construction setbacks from wetlands or water courses; proper disposal of waste materials; procedures for equipment maintenance to prevent fuel spillage; construction methods to prevent flooding or disturbance of wetlands and water courses; procedures for maintaining continuous stream flows; confining construction that must take place in water courses to times when water flows are low and fish and wildlife will not be adversely affected.

MARSHES

Areas with soils that exhibit saturated moisture regimes that are distinguished by the absence of trees and are dominated by soft-stemmed herbaceous plants. The water table in marshes is at or above the surface throughout the year, but seasonal fluctuations are encountered and areas of open water six inches or more in depth are common.

MATERIAL

Any substance, solid or liquid, organic or inorganic, including but not limited to soil, sediment, aggregate, land, gravel, clay, bog, peat, mud, debris, sand, refuse, or waste.

NURSERIES

Land used for propagating trees, shrubs, or other plants for transplanting, sale, or for use as stock for grafting.

PERMIT

The whole or any part of any license, certificate or approval or similar form of permission which may be required of any person by the provisions of these regulations under the authority of the

Commission.

PERMITTEE

The person to whom such permit has been issued.

PERSON

Any person, firm, partnership, association, corporation, company, organization or legal entity of any kind, including municipal corporations, governmental agencies, or subdivision thereof.

POLLUTION

Harmful thermal effect or the contamination or rendering unclean or impure of any waters of the state by reason of any waste or other materials discharged or deposited therein or indirectly to come in contact with any waters. This includes, but is not limited to, erosions resulting from any filling or excavation activity.

PRUDENT

Economically and otherwise reasonable in light of the social benefits to be derived from the proposed regulated activity provided cost may be considered in deciding what is prudent and further provided a mere showing of expense will not necessarily mean an alternative is imprudent.

REGULATED ACTIVITY

Any operation or use of a wetland or water course involving removal or deposition of material or any obstruction, construction, alteration or pollution of such wetlands or water courses, and any construction of a residential building, residential institution, commercial and industrial building, site establishment of a new lawn, nonresidential building, deck, pools, parking area or subsurface sewage disposal system with 100 feet of wetlands or water courses, as set forth in Section 22a-42a of the General Statutes, as amended, and 50 feet from wetlands and water courses for any subsurface sewage disposal system up-gradient from wetlands and water courses or in an area of special concern as defined by the Public Health Code, but shall not include the activities specified in Article IV (uses permitted as of right and nonregulated uses) of these regulations. Soil evidencing favorable underground rate of flow analysis by geohydraulic testing may be considered by the Commission as grounds for reducing any of the separating distances. The Commission shall require certified tests and/or reports for this purpose. The Commission may rule that any other activity located within such upland review area or any other non-wetland or non-water course area is likely to impact or affect wetlands or watercourses and is a regulated activity. [Amended 9-3-2003; 2-13-2007]

REGULATED AREA

Any inland wetland or water course as defined in these regulations.

REMOVE

Includes, but shall not be limited to, drain, excavate, mine, dig, dredge, suck, grub, clear cut timber, bull doze, drag line or blast.

RENDERING UNCLEAN OR IMPURE

Any alteration of the physical, chemical, or biological properties of any waters of the state, including but not limited to, change in odor, color or turbidity, or taste.

SIGNIFICANT IMPACT ACTIVITY

Any activity, including, but not limited to, the following activities which may have a major effect or significant impact on the area for which an application has been filed or on another part of the inland wetland or water course system:

- A. Any activity involving a deposition or removal of material which will or may have a substantial effect or significant impact on the regulated area or on another part of the inland wetland or water course system; or

- B. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a water course system; or
- C. Any activity which substantially diminishes the natural capacity of an inland wetland or water course to support desirable fisheries, wildlife, or other biological life, prevent flooding, supply water, assimilate waste, facilitate drainage, provide recreation or open space, or other functions; or
- D. Any activity which causes substantial turbidity, siltation, or sedimentation in a wetland or water course; or
- E. Any activity which causes a substantial diminution of flow of a natural water course, or ground water level of the regulated area; or
- F. Any activity which causes or has the potential to cause pollution of a wetland or water course; or
- G. Any activity which destroys unique wetland or water course areas having demonstrable scientific or educational value.

SOIL SCIENTIST

An individual duly qualified in accordance with standards set by the Federal Office of Personnel Management.

SUBMERGED LANDS

Those lands which are inundated by water on a seasonal or more frequent basis.

SWAMPS

Areas with soils that exhibit saturated moisture regimes and are dominated by wetland trees and shrubs.

TOWN

The Town of Orange, New Haven County, in the State of Connecticut.

WASTE

Sewage or any substance, liquid, gaseous, solid or radioactive, which may pollute or tend to pollute any of the wetlands or water courses of the Town.

WATER COURSE

Rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon this state or any portion thereof not regulated pursuant to Sections 22a-28 through 22a-35, inclusive. Intermittent water courses shall be delineated by a defined permanent channel and bank and the occurrence of one or more of the following characteristics:

- A. Evidence of scour or deposits of recent alluvium or detritus;
- B. The presence of standing or flowing water for a duration longer than a particular storm incident; and
- C. The presence of hydrophilic vegetation.

WETLANDS

Pursuant to CGS 22a-41, includes aquatic, plant or animal life and habitats in wetlands or water courses, and "habitats" means areas or environments in which an organism or biological population normally lives or occurs. Land, including submerged land not regulated pursuant to Sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and floodplain by the Natural Cooperative Soils Survey, as it may be amended from time to time, of the Natural Resources Conservation Service of the U.S. Department of Agriculture (USDA).

[Amended pursuant to P.A. 04-209, effective 6-3-2004]

Article III. Inventory of Regulated Areas

§ 381-7. Determination of boundaries.

The map of regulated areas, entitled "Inland Wetlands and Water Courses Map, Orange, Connecticut," delineates the general location and boundaries of inland wetlands and the general location of water courses. Copies of this map are available for inspection in the office of the Town Clerk or the Commission. In all cases, the precise location of regulated areas shall be determined by the actual character of the land, the distribution of wetland soil types, and locations of water courses. The Commission may use aerial photography, remote sensing imagery, resource mapping, soils maps, site inspection observations or other information in determining the location of the boundaries of wetlands and water courses.

§ 381-8. Petition to dispute regulated area designation.

Any property owner who disputes the designation of any part of his or her land as a regulated area on the Inland Wetlands and Water Courses Map, may petition the Commission to change the designation. All petitions for a map change shall be submitted in writing and shall include all relevant facts and circumstances which support the change. The petitioner shall provide proof that the designation is inapplicable. Documentation in accordance with Article **XV** of these regulations may be required of property owner when the Commission requires an accurate delineation of regulated areas.

§ 381-9. Maintenance of records; map amendments.

The Commission or its designated agent(s) shall inventory and maintain current records of all regulated areas within the Town. The Commission may amend its map from time to time as information becomes available relative to more accurate delineation of wetlands and water courses within the Town. Such map amendments are subject to the public hearing process outlined in Article **IX** of these regulations.

Article IV. Permitted and Nonregulated Uses

§ 381-10. Operations and uses permitted as of right.

The following operations and uses shall be permitted in inland wetlands and water courses, as of right:

- A. Grazing, farming, nurseries, gardening and harvesting of crops, and farm ponds of three acres or less essential to the farming operation, and activities conducted by, or under the authority of, the Department of Environmental Protection for the purposes of wetland or water course restoration or enhancement or mosquito control. The provisions of this article shall not be construed to include road construction or the erection of buildings not directly related to the farming operation, relocation of water courses with continual flow, filling or reclamation of wetlands or water courses with continual flow, clear-cutting of timber except for the expansion of agricultural crop land, or the mining of top soil, peat, sand, gravel or similar material from wetlands or water courses for the purposes of sale.
- B. A residential home for which a building permit has been issued or on a subdivision lot, provided the permit has been issued or the subdivision has been approved by the Town Plan and Zoning Commission of the Town of Orange as of July 1, 1974. No residential home shall be permitted as

of right pursuant to this subsection unless the building permit was obtained on or before July 1, 1987. The individual claiming a use of wetlands permitted as of right under this subsection shall document the validity of said right by providing a dated certified copy of the building permit and a site plan showing proposed and existing topographic contours, house and well locations, septic system, driveway, approval dates or other necessary information to document his entitlement.

- C. Boat anchorage or mooring, not to include dredging or dock construction.
- D. Uses incidental to the enjoyment or maintenance of residential property, such property defined as equal to or smaller than 1 1/2 acres and containing a residence. Such incidental uses shall include maintenance of existing structures and landscaping, but shall not include removal or deposition of substantial amounts of material from or into a wetland or water course, or diversion or alteration of a water course.
- E. Construction and operation, by water companies as defined by Section 16-1 of the Connecticut General Statutes or by municipal water supply systems as provided for in Chapter 102 of the Connecticut General Statutes, of dams, reservoirs and other facilities necessary to the impounding, storage and withdrawal of water in connection with public water supplies except as provided in Sections 22a-401 and 22a-410 of the Connecticut General Statutes.
- F. Maintenance relating to any drainage pipe which existed before the effective date of any municipal regulations adopted pursuant to Section 22a-42a or July 1, 1974, whichever is earlier, provided such pipe is on property that is zoned as residential but which does not contain hydrophilic vegetation. For purposes of this subdivision, "maintenance" means the removal of accumulated leaves, soil, and other debris whether by hand or machine, while the pipe remains in place.

§ 381-11. Nonregulated uses permitted as of right.

The following operations and uses shall be permitted as nonregulated uses in wetlands and water courses, provided they do not disturb the natural and indigenous character of the wetland or water course by removal or deposition of material, alteration or obstruction of water flow, or pollution of the wetland or water course.

- A. Conservation of soil, vegetation, water, fish, shellfish, and wildlife. Such operation or use may include, but is not limited to, minor work to control erosion, or to encourage proper fish, wildlife, and silviculture management practices.
- B. Outdoor recreation including the use of play and sporting area, golf courses, field trails, nature study, hiking, horseback riding, swimming, skin and scuba diving, camping, boating, water skiing, trapping, hunting, fishing and shellfishing, and cross country skiing where otherwise legally permitted and regulated.

§ 381-12. Other operations and uses require a permit.

All activities in wetlands or water courses involving filling, excavation, dredging, clear-cutting, grading or any other alteration or use of a wetland or water course not specifically permitted by this article shall require a permit from the Commission in accordance with Article VI of these regulations.

§ 381-13. Must notify Commission.

To carry out the purposes of this article, any person proposing to carry out a permitted or nonregulated operation or use of a wetland or water course, which may disturb the natural and indigenous character of the land, shall, prior to commencement of such operation or use, notify and provide the Commission or its designated agent with sufficient information to enable it to properly determine that the proposed operation and use is a permitted or nonregulated use of the wetland and water course. The

Commission or its designated agent shall rule that the proposed operation or use is a permitted or a nonregulated use or operation or that a permit is required. Such ruling shall be in writing and shall be made no later than the next regularly scheduled meeting of the Commission following the meeting at which the request was received. The designated agent for the Commission may make such ruling on behalf of the Commission at any time.

Article V. Activities Regulated by the State

§ 381-14. Activities under state jurisdiction.

In addition to any permit or approval required by the Commission, the Department of Environmental Protection shall regulate activities in or affecting wetlands or water courses subject to the following jurisdiction:

- A. Construction or modification of any dam pursuant to Section 22a-401 through 22a-410 of the Connecticut General Statutes, as amended;
- B. Construction, encroachment or placement of any obstruction within stream channel encroachment lines pursuant to Sections 22a-342 through 22a-349 of the Connecticut General Statutes, as amended;
- C. Construction or placement of any structure or obstruction within the tidal, coastal, or navigable waters of the state pursuant to Sections 22a-359 through 22a-363 or in designated tidal wetlands pursuant to Sections 22a-28 through 22a-35 of the General Statutes, as amended;
- D. Diversion of water including withdrawals of surface or ground water in excess of 50,000 gallons per day, or any change in the instantaneous flow of any surface water of the state where the tributary watershed area above the point of diversion is 100 acres or larger pursuant to Sections 22a-365 through 22a-378 of the Connecticut General Statutes, as amended;
- E. Discharges into the waters of the state pursuant to Section 22a-430 of the Connecticut General Statutes, as amended.
- F. Discharge of fill or dredged materials into the wetlands and water courses of the state pursuant to Section 401 of the Federal Clean Water Act, as amended, for activities regulated by the U.S. Army Corps of Engineers under Section 404 of the Federal Clean Water Act.

§ 381-15. State agencies under state jurisdiction.

The Commissioner of Environmental Protection shall have exclusive jurisdiction over regulated activities and other activities, in or affecting wetlands or water courses, undertaken by any department, agency or instrumentality of the State of Connecticut, except any local or regional board of education:

- A. After an advisory decision on such license or permit has been rendered to the Commissioner by the Commission within such wetland is located; or
- B. Thirty-five days after receipt by the Commissioner of such application, whichever occurs first.

§ 381-16. Tidal wetlands under state jurisdiction.

The Commissioner of Environmental Protection shall have exclusive jurisdiction over tidal wetlands designated and regulated pursuant to Sections 22a-28 through 22a-35 of the Connecticut Statutes.

Article VI. Regulated Activities to be Licensed

§ 381-17. Obtaining a permit for regulated activities.

No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Inland Wetlands and Water Courses Commission of the Town of Orange.

§ 381-18. Regulated activities.

The Commission shall regulate any operation within or use of a wetland or water course involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetland or water course and any other regulated activity, unless such operation or use is permitted or nonregulated pursuant to Article **IV** of these regulations.

§ 381-19. Conduct subject to enforcement proceedings.

Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Commission, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in Article **XIV** of these regulations and any other remedies as provided by law.

Article VII. Application Requirements

§ 381-20. Obtaining application forms.

Any person wishing to undertake a regulated activity shall apply for a permit on the form entitled "Town of Orange, Connecticut, Inland Wetlands and Water Courses Commission - Application for Permit." An application shall include an application form and such information as prescribed by § **381-23** and, in the case of a significant activity, by § **381-24** of these regulations. Application forms may be obtained in the offices of the Town Clerk or the Commission.

§ 381-21. Necessity of information.

All applications shall contain such information as is necessary for a fair and informed determination of the issues.

§ 381-22. Pre-application meeting.

The Commission and the applicant may hold a pre-application meeting to determine whether or not the proposed application involves a significant activity. Whenever possible the determination relative to significant activities should be made at the pre-application meeting.

§ 381-23. Information requested on application.

All applications shall include the following information in writing:

- A. The applicant's name, home and business address and telephone numbers;
- B. The owner's name, address, telephone number and written consent if the applicant is not the owner of the property involved in the application;

- C. The applicant's interest in the land;
- D. The geographical location of the property which is to be affected by the proposed activity, including but not limited to description of the land in sufficient detail to allow identification of the inland wetlands and water courses, a computation of the area(s) (in acres or square feet) of wetland or water course disturbance, soil type(s) and vegetation;
- E. The purpose and description of the proposed activity and other management practices and mitigation measures which may be considered as a condition of issuing a permit for the proposed regulated activity including, but not limited to, measures to prevent or minimize pollution or other environmental damage; maintain or enhance existing environmental quality; or, in the following order of priority, restore, enhance and create productive wetland or water course resources;
- F. Alternatives considered by the applicant and why the proposal to alter wetlands and/or water courses set forth in the application was chosen;
- G. A site plan showing existing and proposed conditions in relation to the wetlands and water courses, including a location map showing the property involved relative to its surrounding neighborhood; and identifying any further activities associated with, or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands or water courses;
- H. Names and addresses of adjacent property owners;
- I. Certification that the applicant is familiar with all the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information;
- J. Authorization for the Commission members and agents of the Commission to inspect the property, at reasonable times, both before and after a final decision has been issued;
- K. Any other information the Commission deems necessary to the understanding of what the applicant is proposing;
- L. Submission of the appropriate filing fee based on the fee schedule established in Article **XIX** of these regulations.

§ 381-24. Additional information for significant activity.

If the proposed activity involves a significant activity as determined by the Commission and defined in § 381-6 of these regulations, additional information, based on the nature and anticipated effects of the activity, including but not limited to the following, is required:

- A. Site plans for the proposed use or operation and the property which will be affected, which show existing and proposed conditions, wetland and water course boundaries, land contours, boundaries of land ownership, proposed alterations and uses of wetlands and water courses, and other pertinent features of the development drawn by a licensed surveyor, professional engineer or landscape architect registered in the State of Connecticut or by such other qualified person.
- B. Engineering reports and analyses, including graphical hydrographs and additional drawings to fully describe the proposed project and any filling, excavation, drainage, or hydraulic modifications to wetlands and/or watercourses. Such analyses shall include present and future runoff rates for the one- through one-hundred-year storm events.
[Amended 2-13-2007]
 - (1) Whenever feasible, stormwater run-off volume shall be no greater than existing conditions.
 - (2) As per the 2004 Connecticut Stormwater Quality Manual, the first one inch of rainfall shall be treated to enhance water quality.

- C. Mapping of soil types consistent with the categories established by the National Cooperative Soil Survey of the U.S. Soil Conservation Service. The Commission, or its designated agent, may require the applicant to have the wetlands delineated in the field by a soil scientist and that the field delineation be incorporated onto the site plans.
- D. Description of the ecological communities and functions of the wetlands or water courses involved with the application and the effects of the proposed regulated activities on these communities and wetland functions.
- E. Description of how the applicant will change, diminish, or enhance the ecological communities and functions of the wetlands or water courses involved in the application, and with each alternative, a description of why each alternative considered was deemed neither feasible nor prudent.
- F. Analysis of chemical or physical characteristics of any fill material.
- G. Measures which mitigate the impact of the proposed activity. Such measures include but are not limited to plans or actions which avoid destruction or diminution of wetland or water course functions, recreational uses and natural habitats which prevent flooding, degradation of water quality, erosion and sedimentation and obstruction of drainage, or which otherwise safeguard water resources.

§ 381-25. Certification of impacts on other municipalities.

The applicant shall certify whether:

- A. Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;
- B. Traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
- C. Sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality; or
- D. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

§ 381-26. Number of copies necessary to file an application.

Twelve copies of all application material shall be submitted to comprise a complete application, or as is otherwise directed by the Commission or its designated agent.

§ 381-27. Amendment, renewal, or extension.

Any application to extend the expiration date of a previously issued permit or amend an existing permit shall be filed with the Commission at least 65 days prior to the expiration date for the permit in accordance with §§ 381-33 through 381-37 of these regulations. Any application for amendment, renewal or extension shall be made in accordance with this section, provided:

- A. The application may incorporate by reference the documentation and record of the original application.
- B. The application shall state the reason why the authorized activities were not initiated or completed within the time specified in the permit.
- C. The application shall describe any changes in facts or circumstances involved with or affecting wetlands or water courses or the property for which the permit was issued.

- D. The Commission may accept an untimely application to extend the expiration date of a permit if the authorized activity is ongoing and allow the continuation of work beyond the expiration date if, in its judgment, the permit is likely to be expired and the public interest or environment will be best served by not interrupting the activity. The application shall describe the extent of work completed at the time of filing and the schedule for completing the activities authorized in the permit.
- E. The Commission shall evaluate the application pursuant to Article X of these regulations and grant the application as filed, grant it with any terms or limitations, or deny it.

§ 381-28. State reporting form.

A reporting form shall be completed during the application process which provides the Commissioner of the Department of Environmental Protection with information necessary to properly monitor the inventory of the state wetlands. The reporting form shall be part of the application and the following sections shall be completed by the applicant: name of applicant; name of project; project description; area of wetlands and/or lineal feet of water course proposed to be altered. The Commission shall be responsible for the remaining information and any corrections on the form and for filing it in accordance with Section 22a-39-14 of the Inland Wetlands and Water Courses Regulations of the Department of Environmental Protection.

§ 381-29. Permit renewal.

Any application to renew a permit shall be granted upon request of the permit holder unless the Commission finds that there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued, provided no permit may be valid for more than 10 years.

Article VIII. Application Procedures

§ 381-30. Filing copies of application.

[Amended 3-9-2004]

All petitions, applications, request or appeals shall be submitted to the Inland Wetlands and Water Courses Commission of the Town of Orange.

§ 381-31. Filing with adjacent municipalities.

When an application to conduct or cause to be conducted a regulated activity upon an inland wetland or water course is filed and any portion of such wetland or water course is within 500 feet of the boundary of another municipality, the applicant shall give written notice of the application by certified mail, return receipt requested, on the same day to the Inland Wetland Commission of such other municipality. Documentation of such notice shall be provided to the Commission.

§ 381-32. Notification of other municipalities.

[Amended 3-9-2004]

- A. The Commission shall, in accordance with Connecticut General Statutes Sections 8-7b(f) and 22a-42b, notify the clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site in which:

- (1) Any portion of the property affected by a decision of the Commission is within 500 feet of the boundary of the adjoining municipality;
 - (2) A significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
 - (3) A significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
 - (4) Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.
- B. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of receipt of the application, petition, appeal, request or plan.

§ 381-33. Notification of water company.

[Amended 2-13-2007]

When an application is filed to conduct or cause to be conducted a regulated activity upon an inland wetland or water course, any portion of which is within the watershed of a water company as defined in Section 25-32a of the General Statutes, the applicant shall provide written notice of the application to the water company and the Commissioner of Public Health in a format prescribed by said Commissioner, provided such water company or said Commissioner has filed a map showing the boundaries of the watershed on the land records of the municipality in which the application is made and with the inland wetlands agency of such municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed not later than seven days after the date of the application. The water company and the Commissioner of Public Health, through a representative, may appear and be heard at any hearing on the application.

§ 381-34. Application receipt date.

[Amended 3-9-2004]

The date of receipt of a petition, application, request or appeal shall be the day of the next regularly scheduled meeting of the Commission, immediately following the day of submission to such agency or its agent of such petition, application, request or appeal, or 35 days after such submission, whichever is sooner.

§ 381-35. Additional information that may be required.

At any time during the review period, the Commission may require the applicant to provide additional information about the regulated area or regulated activity which is the subject of the application, or wetlands or water courses affected by the regulated activity. Requests for additional information shall not stay the time limitations set forth in § 381-48.

§ 381-36. Public inspection.

All applications shall be open for public inspection.

§ 381-37. Denial of incomplete applications.

Incomplete applications may be denied.

Article IX. Public Hearings

§ 381-38. Conditions.

[Amended 3-9-2004]

The Inland Wetlands Commission shall not hold a public hearing on an application unless the Inland Wetlands Commission determines that the proposed activity may have a significant impact on wetlands or water courses, a petition signed by at least 25 persons who are 18 years of age or older and who reside in the municipality in which the regulated activity is proposed, requesting a hearing is filed with the Commission not later than 14 days after the date of receipt of such application, or the Commission finds that a public hearing regarding such application would be in the public interest. The Commission may issue a permit without a public hearing, provided no petition provided for in this section is filed with the Commission on or before the 14th day after the date of receipt of such application. Such hearing shall be held no later than 65 days after the receipt of such application. All applications and maps and documents relating thereto shall be open for public inspection. At such hearing any person or persons may appear and be heard and may be represented by agent or by attorney.

§ 381-39. Published notices.

Notice of the public hearing shall be published at least twice at intervals of not less than two days, the first not more than 15 days and not fewer than 10 days, and the last not less than two days before the date set for the hearing in a newspaper having a general circulation in each Town where the affected wetland and water course is located.

§ 381-40. Notification of other property owners.

Notice of the public hearing shall be mailed by the Commission to the owner(s) of record of abutting land as supplied by the applicant no less than 15 days prior to the day of the hearing.

§ 381-41. Notification of other municipalities.

In the case of any application which is subject to the notification provisions of § 381-32 of these regulations, a public hearing shall not be conducted until the Clerk of the adjoining municipality(ies) has received notice of the pendency of the application. Proof of such notification shall be entered into the hearing record.

Article X. Considerations for Decision

§ 381-42. Evidence.

The Commission may consider the following in making its decision on an application:

- A. The application and its supporting documentation;
- B. Public comments, evidence and testimony;
- C. Reports from other agencies and commissions including but not limited to the Town of Orange, such as:
 - (1) Conservation Commission.

- (2) Zoning Enforcement Officer.
 - (3) Plan and Zoning Commission.
 - (4) Building Inspector.
 - (5) Sanitarian and/or Director of Health.
 - (6) Town Engineer.
- D. The Commission may also consider comments on any application from the New Haven County Soil and Water Conservation District, the South Central Regional Planning Agency, or other regional organizations; agencies in adjacent municipalities which may be affected by the proposed activity, or other technical agencies or organizations which may undertake additional studies or investigations.
- E. Non-receipt of comments from agencies and commissions listed in Subsection C above within the prescribed time shall neither delay nor prejudice the decision of the Commission.
- F. The Commission is not precluded from seeking advice from its own experts on any aspect of an application.

§ 381-43. Standards and criteria for decision.

[Amended pursuant to P.A. 04-209, effective 6-3-2004]

In carrying out the purposes and policies of Sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, and pursuant to CGS 22a-41(d) a municipal inland wetlands agency shall not deny or condition an application for a regulated activity in an area outside wetlands or water courses on the basis of an impact or effect on aquatic, plant, or animal life unless such activity will likely impact or affect the physical characteristics of such wetlands or water courses, including matters relating to regulating, licensing and enforcing of the provisions thereof, the Commission shall consider all relevant facts and circumstances in making its decision on any application for a permit, including but not limited to the following:

- A. The environmental impact of the proposed regulated activity on wetlands or water courses.
- B. The applicant's purpose for, and any feasible and prudent alternatives to, the proposed regulated activity which alternatives would cause less or no environmental impact to wetlands or water courses.
- C. The relationship between the short-termed and long-term impacts of the proposed regulated activity on wetlands or water courses and the maintenance and enhancement of long-term productivity of such wetlands or water courses.
- D. Irreversible and irretrievable loss of wetland or water course resources which would be caused by the proposed regulated activity, including the extent to which such activity would foreclose a future ability to protect, enhance or restore such resources, and any mitigation measures which may be considered as a condition of issuing a permit for such activity including, but not limited to, measures to:
 - (1) Prevent or minimize pollution or other environmental damage;
 - (2) Maintain or enhance existing environmental quality; or
 - (3) In the following order of priority: restore, enhance and create productive wetland or water course resources.
- E. The character and degree of injury to, or interference with, safety, health, or the reasonable use of property which is caused or threatened by the proposed regulated activity.

- F. Impacts of the proposed regulated activity on wetlands or water courses outside the area for which the activity is proposed and future activities associated with, or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands or water courses.

§ 381-44. Existence of feasible and prudent alternative.

In the case of any application which received a public hearing pursuant to a finding by the Commission that the proposed activity may have a significant impact on wetlands or water courses, a permit shall not be issued unless the Commission finds on the basis of the record that a feasible and prudent alternative does not exist. In making this finding the Commission shall consider the facts and circumstances set forth in Article X of these regulations. The findings and the reasons therefor shall be stated on the record in writing.

§ 381-45. Application denial.

In the case of an application which is denied on the basis of a finding that there may be feasible and prudent alternatives to the proposed regulated activity which have less adverse impact on wetlands and water courses, the Commission shall propose on the record in writing the types of alternatives which the applicant may investigate, provided this subdivision shall not be construed to shift the burden from the applicant to prove that he is entitled to the permit or to present alternatives to the proposed regulated activity.

§ 381-46. Based on information in the record.

- A. In reaching its decision on any application after a public hearing, the Commission shall base its decision on the record of that hearing.
- B. Documentary evidence or other material not in the hearing record shall not be considered by the Commission in its decision. However, the Commission is not precluded from seeking advice from its own experts on information already in the record of the public hearing.
- C. A conclusion that a feasible and prudent alternative does not exist does not create a presumption that a permit should be issued. The applicant has the burden of demonstrating that his application is consistent with the purposes and policies of the Inland Wetlands and Water Courses Regulations of the Town of Orange and of Sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes.

Article XI. Decision and Permit

§ 381-47. Decision types.

The Commission or its duly authorized agent acting pursuant to Article XII of these regulations, may grant the application as filed; grant it upon such terms, conditions, limitations or modifications necessary to carry out the purposes of the Act; or deny it. Such terms may include any reasonable measures which would mitigate the impacts of the regulated activity and which would prevent or minimize pollution or other environmental damage, maintain or enhance existing environmental quality, or, in the following order of priority: restore, enhance and create productive wetland or water course resources. The Commission may grant the application 14 days after it is presented in accordance to statute.

§ 381-48. Timelines.

[Amended 3-9-2004]

No later than 65 days after receipt of an application, the Commission may hold a public hearing on such application. At such hearing any person or persons may appear and be heard and may be represented by agent or attorney. The hearing shall be completed within 35 days of its commencement. Action shall be taken on applications within 35 days after completion of a public hearing. In the absence of a public hearing, action shall be taken on applications within 65 days from the date of receipt of the application. The applicant may consent to one or more extensions of the periods specified in this section, provided the total extension of all such periods shall not be for longer than 65 days, or may withdraw the application. The failure of the Commission to act within any time period specified in this section, or any extension thereof, shall not be deemed to constitute approval of the application. An application deemed incomplete by the Commission shall be withdrawn by the applicant or denied by the Commission.

§ 381-49. Form and decision statement.

The Commission shall state upon its record the reasons and basis for its decision and, in the case of any public hearing, such decision shall be based fully on the record of such hearing and shall be in writing and shall incorporate a statement relative to the consideration of feasible and prudent alternatives.

§ 381-50. Notice of decision.

The Commission shall notify the applicant and any named parties to the proceeding of its decision within 15 days of the date of the decision by certified mail, return receipt requested, and the Commission shall cause notice of its order in the issuance or denial of the permit to be published in a newspaper having general circulation in the Town wherein the inland wetland or water course lies. In any case in which such notice is not published within such fifteen-day period, the applicant may provide for the publication of such notice within 10 days thereafter.

§ 381-51. Decision to be filed with Plan and Zoning Commission.

If an activity authorized by the inland wetlands permit also involves an activity or project which requires zoning or subdivision approval, a special zoning permit, variance or special exception, a copy of the decision and report on the application shall be filed with the Town of Orange Plan and Zoning Commission within 15 days of the date of the decision.

§ 381-52. Applicant may propose modifications to permit.

If the Commission denies the permit, or if it grants a permit with terms, conditions, limitations or modifications, the applicant may attempt to modify the proposal to the Commission's satisfaction. The Commission shall determine whether the proposed modification requires the filing of a new application. The rejection of a modified or corrected application by the Commission shall be equivalent to the denial of an application for the purpose of appeal.

§ 381-53. Duration of permit.

Any permit issued under this article for the development of property for which an approval is required under Section 8-3, 8-25 or 8-26 shall be valid for five years provided the Commission may establish a specific time period within which any regulated activity shall be conducted. Any permit issued under this article for any other activity shall be valid for not less than two years and not more than five years.

§ 381-54. Assigning or transferring permit.

No permit shall be assigned or transferred without the written permission of the Commission.

§ 381-55. Bond or insurance.

If a bond or insurance is required in accordance with Article **XIII** of these regulations, no permit shall be issued until such bond or proof of insurance is provided.

§ 381-56. General provisions.

General provisions in the issuance of all permits:

- A. In evaluating applications in which the Commission relied in whole or in part on information provided by the applicant, if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.
- B. All permits issued by the Commission are subject to and do not derogate any present or future rights or powers of the Commission, and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the property or activity.
- C. If the activity authorized by the inland wetlands permit also involves an activity or a project which requires zoning or subdivision approval, special permit, variance or special exception, no work pursuant to the wetland permit may begin until such approval is obtained.
- D. The permittee shall take necessary steps consistent with the terms and conditions of the permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and water courses.

Article XII. Action by Duly Authorized Agent

§ 381-57. Action by duly authorized agent.

[Amended 3-9-2004]

The Commission may delegate to its duly authorized agent the authority to approve or extend an activity that is not located in a wetland or water course when such agent finds that the conduct of such activity would result in no greater than a minimal impact on any wetlands or water courses provided such agent has completed the comprehensive training program developed by the Commissioner of Environmental Protection pursuant to Section 22a-39 of the Connecticut General Statutes. Requests for such approval shall be made on a form provided by the Commission and shall contain the information listed under § **381-24** of these regulations and any other information the Commission may reasonably require. Notwithstanding the provisions for receipt and processing applications prescribed in Articles **VIII**, **IX** and **XI** of these regulations, such agent may approve or extend such an activity at any time.

§ 381-58. Requirements of application recipient.

Any person receiving such approval from such agent shall, within 10 days of the date of such approval, publish, at the applicant's expense, notice of the approval in a newspaper having a general circulation in the Town wherein the activity is located or will have an effect. Any person may appeal such decision

of such agent to the Commission within 15 days after the publication date of the notice and the Commission shall consider such appeal at its next regularly scheduled meeting provided such meeting is no earlier than three business days after receipt by such Commission or its agent of such appeal. Any person may appear and be heard at the meeting held by the Commission to consider the subject appeal. The Commission shall, at its discretion, sustain, alter, or reject the decision of its agent or require an application for a permit in accordance with Article VII of these regulations.

Article XIII. Bond and Insurance

§ 381-59. Bond or surety may be required.

Upon approval of the application and prior to issuance of a permit, the applicant may, at the discretion of the Commission, be required to file a bond with such surety in such amount and in a form approved by the Commission.

§ 381-60. Conditioned on compliance with regulations and permit.

The bond or surety shall be conditional on compliance with all provisions of these regulations and their terms, conditions, and limitations established in the permit.

§ 381-61. Public liability insurance.

The Commission may require the applicant to certify that it has public liability insurance against liability which might result from the proposed operation or use of the wetland or water courses covering any and all damage which might occur within two years of completion of such operations, in an amount commensurate with the regulated activity.

Article XIV. Enforcement

§ 381-62. Appointment of agent.

The Commission may appoint an agent or agents to act in its behalf with the authority to inspect property and issue notices of violation or cease and desist orders and carry out other actions or investigations necessary for the enforcement of these regulations including the determination of whether an activity falls within the ambit of § 381-13.

§ 381-63. Regular inspections of regulated activities.

As a condition of a permit, the Commission or its agent may make regular inspections, at reasonable hours, of all regulated activities for which repairs have been issued under these regulations.

§ 381-64. Violations of Act or regulations.

If the Commission or its duly authorized agent finds that any person is conducting or maintaining any activity, facility, or condition which is in violation of the Act or these regulations, the Commission or its duly authorized agent may:

- A. Issue a written order by certified mail, return receipt requested, to such person(s) conducting such activity or maintaining such facility or condition to immediately cease such activity or to correct such facility or condition. Within 10 calendar days of the issuance of such order, the Commission shall hold a hearing to provide the person(s) an opportunity to be heard and show cause why the order should not remain in effect. The Commission shall consider the facts presented at the hearing and within 10 days of the completion of the hearing notify the person by certified mail that the original order remains in effect, that a revised order is in effect, or that the order has been withdrawn. The Commission shall publish notice of its decision in a newspaper having general circulation in the municipality. The original order shall be effective upon issuance and shall remain in effect until the Commission affirms, revises or withdraws the order. The issuance of an order pursuant to this article shall not delay or bar an action pursuant to Section 22a-44(b) of the Connecticut General Statutes, as amended.
- B. Suspend or revoke a permit if it finds that the permittee has not complied with the terms, conditions or limitations set forth in the permit or has exceeded the scope of the work as set forth in the application, including application plans. Prior to revoking or suspending any permit the Commission shall issue notice to the permittee personally or by certified mail, return receipt requested, setting forth the facts or conduct which warrants the intended action. The Commission shall hold a hearing to provide the permittee an opportunity to show that it is in compliance with its permit and any and all requirements for retention of the permit. The permittee shall be notified of the Commission's decision to suspend, revoke, or maintain a permit by certified mail within 15 days of the date of its decision. The Commission shall publish notice of the suspension or revocation in a newspaper having general circulation in the municipality.
- C. Issue a notice of violation to such person conducting such activity or maintaining such facility or condition, stating the nature of the violation, the jurisdiction of the Commission, and prescribing the necessary action and steps to correct the violation including, without limitation, halting work in wetlands or water courses. The Commission may request that the individual appear at the next regularly scheduled meeting of the Commission to discuss the unauthorized activity, and/or provide a written reply to the notice or file a proper application for the necessary permit. Failure to carry out the action(s) directed in a notice of violation may result in issuance of the order provided in Subsection **A** or other enforcement proceedings as provided by law.

Article XV. Amendments

§ 381-65. Regulations and maps subject to change.

An application filed with the Commission which is in conformance with the applicable inland wetlands regulations as of the date of receipt of such application shall not be required thereafter to comply with any change in inland wetland regulations, including changes to setbacks and buffers, taking effect on or after the date of such receipt and any appeal from the decision of such Commission with respect to such application shall not be dismissed by the Superior Court on the grounds that such a change has taken effect on or after the date of such receipt. The provisions of this article shall not be construed to apply:

- A. To the establishment, amendment, or change of boundaries of inland wetlands or water courses;
or
- B. To any change in regulations necessary to make such regulations consistent with the provisions of the Act as of the date of such receipt.

§ 381-66. Manner.

These regulations and the "Inland Wetlands and Water Courses Map, Orange, Connecticut" shall be amended in the manner specified in Section 22a-42a of the Connecticut General Statutes, as

amended. The Commission shall provide the Commissioner of Environmental Protection with a copy of any proposed regulations and notice of the public hearing to consider any proposed regulations or amendments thereto, except determinations of boundaries, at least 35 days before the public hearing on their adoption. Application forms shall be considered as part of the Commission regulations.

§ 381-67. Permit not subject to regulation change.

Petitions requesting changes or amendments to the "Inland Wetlands and Water Courses Map, Orange, Connecticut" shall contain at least the following information:

- A. The petitioner's name, address and telephone number;
- B. The address of the land affected by the petition;
- C. Petitioner's interest in the land affected by the petition;
- D. Map(s) showing geographic location of the land affected by the petition; and the existing and proposed wetland(s) and water course(s) boundaries on such land in accurate detail together with the documentation supporting such proposed boundary locations; and
- E. The reasons for the requested action.

§ 381-68. Petitions requesting changes.

Any person who submits a petition to amend the Inland Wetlands and Water Courses Map, Orange, Connecticut, shall bear the burden of proof for all requested map amendments. Such proof may include, but is not limited to, professional, interpretation of aerial photography and remote sensing imagery, resource mapping, soils mapping or other information acceptable to the Commission. If such person is the owner, developer or contract purchaser of the land which is the subject of the petition, or is such person as is representing the interests of such an owner, developer, or purchaser in addition to the information required in § 381-67, the petition shall include:

- A. The name, address and telephone number of the owner(s) of such land and owner(s) agent or other representative;
- B. The names and addresses of the owners of abutting land;
- C. Documentation by a soil scientist of the distribution of wetland soils on said land. Such documentation shall at a minimum include the report of the soil scientist documenting the location of wetland soils on the land and a map of the said land indicating the flag locations set by the soil scientist and defining the boundaries of wetland soil types; and
- D. Map(s) showing any proposed development of the land in relation to existing and proposed wetland and water course boundaries.

§ 381-69. Documentation.

Water courses shall be delineated by a soil scientist, geologist, ecologist, or other qualified individual.

§ 381-70. Public hearing on petitions to amend boundaries.

[Amended 3-9-2004]

A public hearing shall be held on petitions to amend the regulations and the Inland Wetlands and Water Courses Map. Notice of the hearing shall be published in a newspaper having a general circulation in the municipality where the land that is the subject of the hearing is located at least twice

at intervals of not less than two days, the first not more than 15 days, nor less than 10 days, and the last not less than two days before the date set for the hearing. All materials, including maps and documents relating to the petition, shall be open for public inspection.

§ 381-71. Timeline for public hearing.

[Amended 3-9-2004]

The Commission shall hold a public hearing on a petition to amend the regulations and the Inland Wetlands and Water Courses Map within 65 days after receipt of such petition. The hearing shall be completed within 35 days after commencement. The Commission shall act upon the changes requested in such petition within 65 days after completion of such hearing. At such hearing, any person or persons may appear and be heard and may be represented by agent or attorney. The petitioner may consent to one or more extensions of any period specified in the subsection, provided the total extension of all such periods shall not be for longer than 65 days or may withdraw such petition. Failure of the agency to act within any time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of petition.

§ 381-72. Explanation of decisions.

The Commission shall make its decision and state, in writing, the reasons why the change in the "Inland Wetlands and Water Courses Map, Orange, Connecticut" or these regulations was made.

Article XVI. Appeals

§ 381-73. General statutes apply.

Appeal on actions of the Commission shall be made in accordance with the provisions of Section 22a-43 of the General Statutes as amended.

§ 381-74. Notice of appeal sent to Commission and the state.

Notice of such appeal shall be served upon the Commission and the Commissioner of Environmental Protection.

Article XVII. Conference and Severance

§ 381-75. Most stringent standards apply.

- A. If there is a conflict between the provisions of these regulations, the provision which imposes the most stringent standards for the use of wetlands and water courses shall govern. The invalidity of any word, clause, sentence, section, part, subsection, or provision of these regulations shall not affect the validity of any other part which can be given effect without such valid part of parts.
- B. If there is a conflict between any provision of these regulations and the provision of the Act, the provisions of the Act shall govern.

Article XVIII. Other Permits

§ 381-76. Responsibility for any other permits.

Nothing in these regulations shall obviate the requirements for the applicant to obtain any other assents, permits, or licenses required by law or regulation by the Town of Orange, the State of Connecticut, and the government of the United States including any approval required by the Connecticut Department of Environmental Protection and the U.S. Army Corp of Engineers. Obtaining such assents, permits, or licenses is the sole responsibility of the applicant.

Article XIX. Application Fees

§ 381-77. Method of payment.

All fees required by these regulations shall be submitted to the Commission by cash, certified check, or money order payable to the Town of Orange at the time the application is filed with the Commission.

§ 381-78. Waiver.

No application shall be granted or approved by the Commission unless a waiver has been granted by the Commission.

§ 381-79. Non-refundable fee.

The application fee is not refundable.

§ 381-80. Definitions.

As used in this article, the following terms shall have the meanings indicated:

COMMERCIAL USES

Activities carried out on property developed for industry, commerce, trade, recreation, or purposes for profit or non profit.

OTHER USES

Activities other than residential uses or commercial uses.

RESIDENTIAL USES

Activities carried out on property developed for permanent housing or being developed to be occupied by permanent housing.

§ 381-81. Fee schedule.

[Amended 5-8-2002; 2-11-2003]

A. Fee schedule: Application fees shall be based on the following schedule.

[Amended 10-10-2007]

(1) Permitted uses as of right (§ 381-10): no charge.

(2) Nonregulated uses (§ 381-11): \$50.

(3) State filing fee: \$60.^[1]

[1] *Editor's Note: This fee was revised in conjunction with changes to the fee set forth in C.G.S. § 22a-27j.*

- (4) Residential uses:
 - (a) New dwelling: \$200, plus direct wetland activity fee.
- (5) Subdivision:
 - (a) First lot: \$200.
 - (b) Additional lots: \$100, plus direct wetland activity fee.
- (6) Residential, multiple units: \$100 per dwelling unit, plus direct wetland activity fee.
- (7) Commercial uses: \$250, plus direct wetland activity fee.
- (8) Other activities or uses.
 - (a) Rain gardens with retention/detention galleries: \$200.
 - (b) Watercourse crossing: \$200, plus direct wetland activity fee.
 - (c) Bio-filtration system, no other activity: \$175.
 - (d) Stormwater discharge to a wetland area: \$200 per acre of impervious surface, including roofs; one-acre threshold.
 - (e) Stormwater detention ponds including below-grade infiltration units: \$250.
- (9) Residential single-family roof footing/infiltrator units, new construction:
 - (a) Footing/infiltrators: \$45.
 - (b) Single-family rain gardens, with no direct wetland activity or below-grade galleries: no charge.
 - (c) Modification/extension of previous approval: \$65.
- (10) Direct wetland activity:

Square Feet	Fee
0 to 500	\$50.00
501 to 1,000	\$75.00
1,001 to 5,000	\$100.00
Over 5,000	\$200.00, plus \$5.00 per square foot over 5,000 square feet

- (11) Map amendment petitions (§ 381-67): \$275.

B. Extra assessments.

- (1) In the event that additional expenses, including but not limited to outside consultants, experts, or legal advisors are incurred in processing the application the applicant may be assessed an additional fee to cover said costs. Said fees are to be estimated by the enforcement officer and submitted with the application fee and held until the application is completely processed, after which time any residual funds pertaining to this assessment are to be returned to the applicant.
- (2) For the purpose of this assessment, an "outside consultant" means a professional who is not an employee of the Town of Orange, including but not limited to engineering, environmental, hydrogeology and wetland biologists and professionals.

§ 381-82. Exemptions.

Boards, commissions, councils and departments of the Town of Orange are exempt from all fee requirements.

§ 381-83. Petition to waive fee.

- A. The applicant may petition the Commission to waive, reduce or allow delayed payment of the fee required of these regulations. Such petitions shall be in writing and shall state fully the facts and circumstances the Commission should consider in its determination. The Commission may waive all or part of the application fee if the Commission determined that:
- (1) The activity applied for would clearly result in substantial public benefit to the environment or to the public health and safety and the applicant would reasonably be deterred from initiating the activity solely or primarily as a result of the amount of the application fee; or
 - (2) The amount of the application fee is clearly excessive in relation to the cost to the Town for reviewing and processing the application.
- B. The Commission shall state upon its record the basis for all actions under this subsection.

Article XX. Records Retention and Disposition

§ 381-84. Retention guidelines; who shall retain.

The Commission and the Town Clerk for the Town of Orange shall retain complete administrative records of Commission actions and dispose of such records in accordance with the retention/disposition schedules set forth in § 381-85.

§ 381-85. Retention/disposition schedule.

The records administrator of the Connecticut State Library established the following new records retention/disposition schedules for municipal Inland Wetlands Commissions effective April 24, 1989:

Record Title	Minimum Retention Required in Commission	Town Clerk
Applications (inc. supporting materials)	10 years	—
Decision Letters	10 years	Permanent
Approved Site Plans	10 years	—
Legal Notices	10 years	Permanent
Staff and Public Written Testimony (hearing records)	10 years	—
Minutes of Meetings and Public Hearings	15 years	Permanent
Tapes, Audio- Inland Wetland Matters	4 years	—
Notices of Violation and Orders	10 years	—
Text of Changes Adopted In Regulations	Continuous Update/ Permanent	—
General Correspondence Issued or Received	5 years	—

Select Language | ▼












CONNECTICUT INLAND WETLAND SOILS

ORANGE, CONNECTICUT

LEGEND

Poorly Drained and Very Poorly Drained soils - Poorly drained soils occur where the water table is at or just below the ground surface, usually from late fall to early spring. The land where poorly drained soils occur is nearly level or gently sloping. Many of our red maple swamps are on these soils. **Very poorly drained soils** generally occur on level land or in depressions. In these areas, the water table lies at or above the surface during most of the growing season. Most of our marshes and bogs are on these soils.

Alluvial and Floodplain soils occur along watercourses occupying nearly all level areas subject to periodic flooding. These soils are formed when material is deposited by flowing water. Such material can be composed of clay, silt, sand or gravel. Alluvial and floodplain soils range from excessively drained to very poorly drained.

-  Open Water
-  River, Brook, Stream
-  Town Boundary
-  State Boundary
-  County Boundary
-  Interstate Highway
-  US Route Highway
-  State Route Highway
-  Highway Ramp
-  Local Road
-  Railroad

EXPLANATION

This map is prepared as a guide to assist town commissions and the public in identifying the general location of areas that may be designated as Inland Wetland Soils as defined in the Inland Wetlands and Watercourses Act, Connecticut General Statutes Section 22a-38. Wetland soils include "any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soil Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture."

The minimum size delineation is approximately 3 acres. This map does not show all the soils designated as Inland Wetland. There may be Inland Wetlands as large as 3 acres as inclusions in Non-wetland map units. Conversely, there may be Non-Wetlands as inclusions in soils designated as Inland Wetlands. The presence or

absence of water on the soil surface does not necessarily designate an area as Inland Wetlands. Long narrow drainage delineations, which may have been designated as Inland Wetlands, may have been slightly enlarged cartographically in order to show them at the mapped scale.

As Inland Wetlands are determined by soil type, an on-site examination of the soil profile, horizons and features, by a certified Soil Scientist, is necessary to confirm the presence or absence of soils designated as Inland Wetlands.

This map does not indicate the locations of regulated tidal areas, upland review areas, nor all permanent or intermittent water courses.

DATA SOURCES

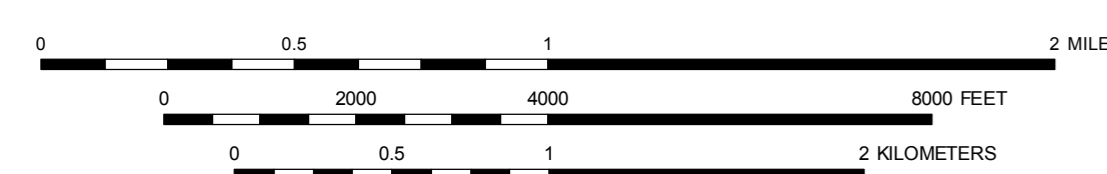
SOIL DATA - Soil map units shown on this map are from the 2007 Soil Survey Geographic Database (SSURGO) database produced by the USDA, Natural Resources Conservation Service (NRCS). The soils were mapped at a scale of 1:12,000 with a minimum size delineation of three acres. Enlargement of this map beyond the original source scale will not show additional detail and can cause misunderstanding of the detail of mapping. For the most recent soils data contact the NRCS.

BASE MAP DATA - Based on data originally from 1:24,000-scale USGS 7.5 minute topographic quadrangle maps published between 1969 and 1992. It includes political boundaries, railroads, airports,

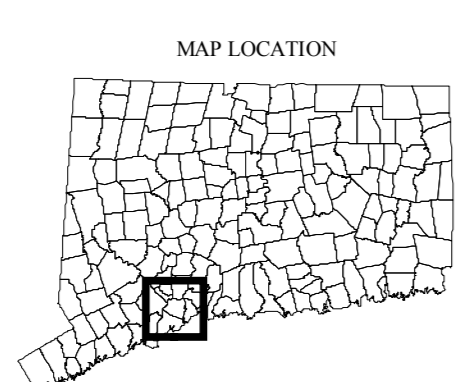
hydrography, geographic names and geographic places. Streets and street names are from Tele Atlas copyrighted data. Base map information is neither current nor complete.

RELATED INFORMATION
This map is intended to be printed at its original dimensions in order to maintain the 1:24,000 scale (1 inch = 2000 feet).

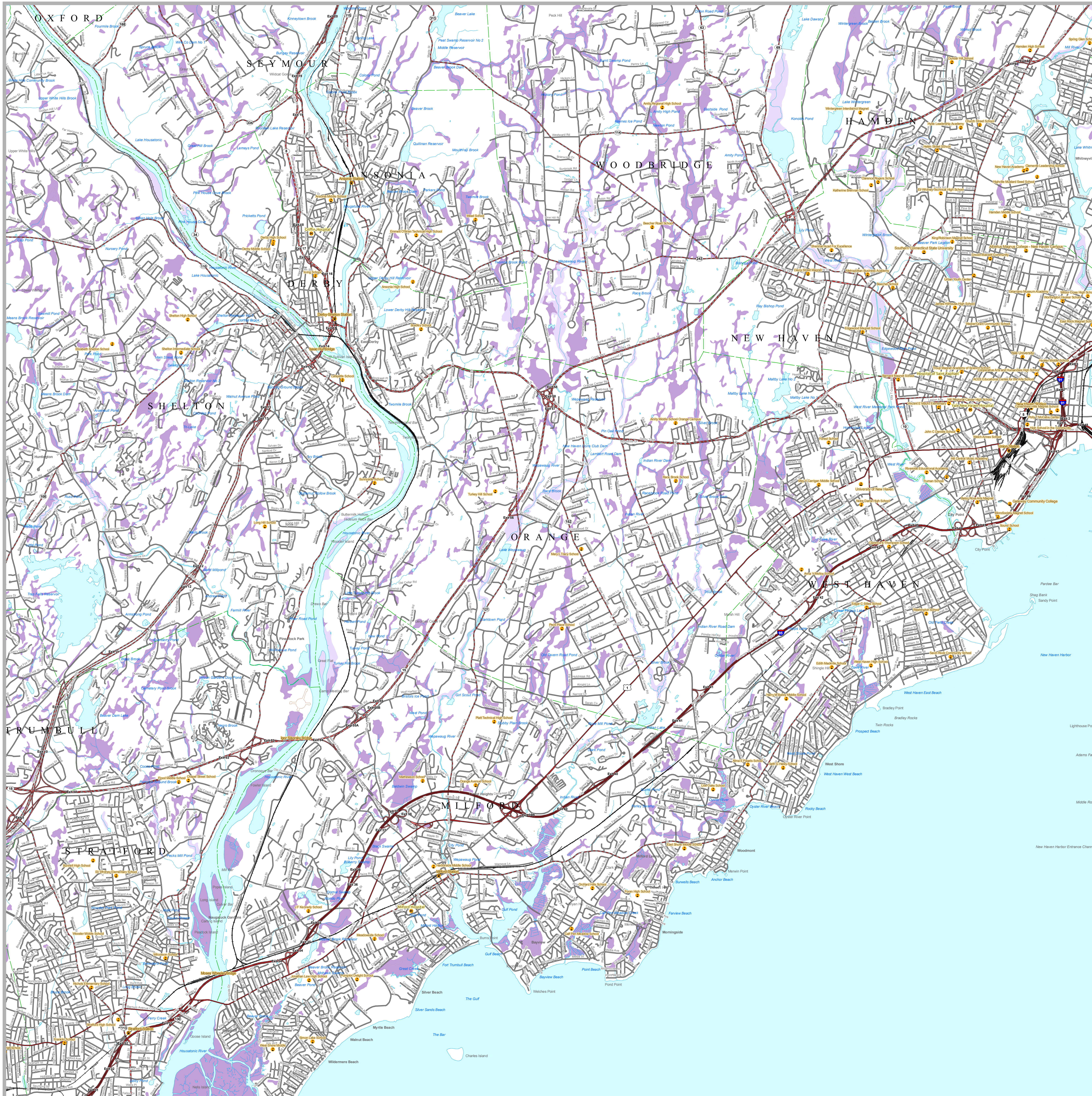
MAPS AND DIGITAL DATA - Visit the CT ECO website for this map and a variety of others. Visit the NRCS soils website for the soils data shown on this map. Visit the CT DEP website to download the base map digital spatial data shown on this map.



SCALE 1:24,000 when map is printed at original size (48 x 36 in)



State Plane Coordinate System of 1983, Zone 3105
Lambert Conformal Conic Projection
North American Datum of 1983



STATE OF CONNECTICUT
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127

Map prepared by CT DEP
October 2009
Map is not colorfast
Protect from light and moisture

