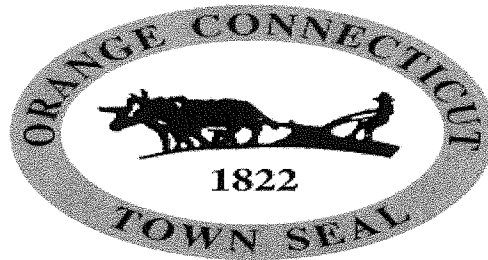


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*Patrick B. O'Sullivan*  
TOWN CLERK



### **Zoning Board of Appeals Meeting**

Monday, March 4, 2019 - 7:00 p.m.  
Orange Town Hall Meeting Room

*(Unapproved)*

#### **ATTENDANCE**

**Board Members Present:** Chairman Noah Eisenhandler, Pat Panza, Rudolph Miller, Gregory Natalino, and alternate David Crow

**Board Members Absent:** Matthew Pickering

**Staff:** Paul Dinice, Zoning Enforcement Officer; Bonny Syat, Public Stenographer; Deborah Satonick, Recording Secretary

Chairman Eisenhandler welcomed everyone to the March 4, 2019 Zoning Board of Appeals meeting and called the meeting to order at 7:08 p.m. He proceeded to introduce the Board members, Ms. Syat, Public Stenographer; Mr. Dinice, Zoning Officer; and Ms. Satonick, Recording Secretary. Chairman Eisenhandler explained that four positive votes are needed to approve a variance request. All correspondence must be read into the record, and approved variances must be recorded on the land records within one year of approval. Mr. Eisenhandler stated that all present would be given an opportunity to speak, if they so desired. The applicant would present the case, and anyone in favor of the variance would first be allowed to speak. Any opposition would then be heard, and a final rebuttal would be allowed. Anyone wishing to address the Board must first approach the podium and state their name and address. Chairman Eisenhandler advised that all five members would be voting this evening on the variance requests

#### **1. APPROVAL OF MINUTES - NOVEMBER 5, 2018 & DECEMBER 17, 2018**

*Mr. Panza made a motion to approve the November fifth and December seventeenth, 2018 minutes. Mr. Natalino seconded the motion and all were in favor. The motion PASSED.*

#### **2. PUBLIC HEARINGS**

Chairman Eisenhandler read the legal notice for the March 4, 2019 Zoning Board of Appeals meeting in its entirety.

**PETITION #1808**, Submitted by Joanne M. Tom for property known as 311 Racebrook Road. The proposal is to construct a 459 square foot addition to an existing structure. The addition is for the expansion of a conference room. Variances of Section 383-54 D Setback from Residence District Boundary Line and Section 383-54 A – Setback from Street line are requested.

- Ms. Joanne M. Tom advised that she would be the new owner of 311 Racebrook Road as of March fifteenth, 2019. This transfer of ownership was concurred by the current owner, Mr. William McCarthy. Ms. Tom explained that she runs Life Line, an outbound nursing service, and needs an additional 450 square feet for a conference room. Her business does not in anyway encroach on the Visiting Nurses of Orange. She noted that the addition would not create any additional traffic for the area, as the agency is an outbound nursing service.
- Mr. Fred Nesscore, 934 Racebrook Road, advised that he is the listing realtor. He stated that this is a unique building that was built prior to the current zoning regulations, and he felt .that this was a hardship to the property.
- Ms. Annemarie Sliby, Executive Director of the Orange Economic Development, spoke in favor of the applicant. She stated that this business has been in Orange for eighteen years on the Boston Post Road and they need this additional space for 75-100 employees.

***Mr. Miller made a motion to close the Public Hearing portion of the meeting, seconded by Mr. Crow. The vote was recorded as follows: Mr. Panza, aye; Mr. Natalino, aye; Mr. Miller, aye; Mr. Crow, aye; and Chairman Eisenhandler, aye. The motion PASSED.***

- Mr. Miller asked for clarification as to the nature of a hardship and was advised that hardship relates to the land, not the applicant or the land use.

***Mr. Miller made a motion to approve the variance request of Petition #1808 as presented. Mr. Natalino seconded the motion and the vote was recorded as follows: Mr. Natalino, aye; Mr. Miller, aye; Mr. Crow, aye; and Chairman Eisenhandler, aye. Mr. Panza recused himself. The motion PASSED.***

**PETITION #1809**, Submitted by Urstadt Biddle Properties, Inc. for property known as 550-560 Boston Post Road (Orange Meadows). For the enhancement of existing loading area to provide loading operations required under current retail standards, to improve access/egress into and around loading areas. A Variance of Section 383-123 D. Required minimum 30” landscaped buffer from an RES Residential District is requested.

- Mr. Rob Aiello, licensed engineer for JMC, spoke in favor of the application. Using a map illustration, he explained that the back of the building does not provide ample space for trucks in the loading dock, two-way traffic, and emergency vehicles. He explained that the project would involve the cutting of one large pine tree and the removal of an existing grass area. However, they would enhance the privacy buffer with additional plantings of low

growing shrubs, such as Mountain Laurel. Mr. Rob Aiello concluded by noting that the Police, Fire, and Building Department are all supportive of this site plan.

- Mr. Andrew Albrecht, Vice President of Management Constructions, reported that Home Sense will be moving into this plaza. As the building was built in the early 1980's, the loading dock now needs to be widened for trucks and emergency vehicles, as this could pose a safety issue. He added that trucks have actually damaged the building due to the narrowness of back area.
- Lastly, Ms. Annemarie Sliby spoke in favor of the site plan renovation. She reported that Home Sense will be the first location in Connecticut and that this move would be desirable for the Town of Orange.

***Mr. Miller made a motion to close the Public Hearing portion of the meeting, seconded by Mr. Panza. The vote was recorded as follows: Mr. Panza, aye; Mr. Natalino, aye; Mr. Miller, aye; Mr. Crow, aye; and Chairman Eisenhandler, aye. The motion PASSED.***

***Mr. Panza made a motion to approve the variance request of Petition #1809 as presented. Mr. Miller seconded the motion and the vote was recorded as follows: Mr. Panza, aye; Mr. Natalino, aye; Mr. Miller, aye; Mr. Crow, aye; and Chairman Eisenhandler, aye. The motion PASSED.***

**PETITION #1810**, Submitted by Vugar & Ulviyya Imanov for property known as 12 Woodside Drive. The proposal is for the construction of a 392 square foot bedroom and bath addition. A Variance of Section 383-30 C. Setback from Other Property line is requested.

- Mr. Bob Hiza, land surveyor, spoke on behalf of the applicant. He explained that the applicant purchased this property two years ago and they are now requesting this addition to move in an elderly relative. The A-2 survey provided shows that the home was built in 1953 according to the current zoning regulations at that time. The addition is 600 square feet, well below the maximum square footage of 900 sq. ft. The variance also does not exceed Ground Coverage.
- Mr. Hiza advised that the adjacent neighbor, Linda Greco, has no problem with the requested addition. Also, the Town Sanitarian is satisfied with the perk tests for a three-bedroom future reserve system.
- Chairman Eisenhandler read into the record a letter from Linda Greco, who has no objections to the addition.

***Mr. Miller made a motion to close the Public Hearing portion of the meeting, seconded by Mr. Panza. The vote was recorded as follows: Mr. Panza, aye; Mr. Natalino, aye; Mr. Miller, aye; Mr. Crow, aye; and Chairman Eisenhandler, aye. The motion PASSED.***

*Mr. Miller made a motion to approve the variance request of Petition #1809 as presented. Mr. Panza seconded the motion and the vote was recorded as follows: Mr. Panza, aye; Mr. Natalino, aye; Mr. Miller, aye; Mr. Crow, aye; and Chairman Eisenhandler, aye. The motion PASSED.*

•Chairman Eisenhandler reported that Mr. Gambardella resigned as the Secretary to the Zoning Board of Appeals and Mr. Panza has volunteered for this position. A vote is required to officially nominate Mr. Panza for this position.

*Mr. Miller made a motion to nominate Mr. Panza as the new Secretary to the Zoning Board of Appeals. Mr. Crow seconded the motion and the vote was recorded as follows: Mr. Natalino, aye; Mr. Miller, aye; Mr. Crow, aye; and Chairman Eisenhandler, aye. The motion PASSED.*

*Mr. Panza made a motion to adjourn the meeting at 8:08 p.m., seconded by Mr. Crow. The vote was recorded as follows: Mr. Panza, aye; Mr. Natalino, aye; Mr. Miller, aye; Mr. Crow, aye; and Chairman Eisenhandler, aye. The motion PASSED.*

Respectfully Submitted,

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Deborah Satonick  
Recording Secretary