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**ZONING BOARD OF APPEALS**

Monday, June 4, 2018 - 7:00 p.m.  
Orange Town Hall Meeting Room

*(Unapproved)*

**ATTENDENCE**

Members Present: Chairman Noah Eisenhandler, Secretary Kenneth Gambardella, Rudolph Miller, Gregory Natalino, Pat Panza, and alternate Matthew Pickering

Members Absent: David Crow

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

Chairman Eisenhandler welcomed everyone to the June 4, 2018 Zoning Board of Appeals meeting and called the meeting to order at 7:00 p.m. He proceeded to introduce the Board members, Ms. Syat, Public Stenographer; Mr. Dinice, Zoning Officer; and Ms. Satonick, Recording Secretary. He reviewed the procedure, pointing out that four affirmative votes are required to approve a variance petition, as mandated by state statute. 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 noted that since six members of the Zoning Board of Appeals were present, alternate member Mr. Pickering would not be voting this evening.

**APPROVAL OF MINUTES –April 2, 2018**

*Mr. Pickering moved to approve the April 2, 2018 Zoning Board of Appeals minutes, seconded by Mr. Panza. The vote was recorded as follows: Mr. Gambardella, aye; Mr. Miller, aye; Mr. Pickering, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Eisenhandler, aye. The motion **PASSED.***

## PUBLIC HEARINGS

Secretary Gambardella read the three legal notices for the June 4, 2018 Zoning Board of Appeals meeting in its entirety.

**PETITION #1802**, Submitted by James Mullins, for property known as 624 Dogwood Road. The proposal is to construct an attached 600 sq. ft. family room addition to an existing dwelling. A variance of Section 383-30 C, setback from other property line is requested.

- Mr. James Mullins, 624 Dogwood Road, spoke about his variance request and supplied photographs of his house. His home was built in 1938 and is on a corner lot. Mr. Mullins stated that the hardship is that the septic system is on one side of the house and a portion of the septic system is on the backside of the home as well. This is the only possible location for the proposed addition.
- Mr. Mullins explained to the Board members that the paper road abutting his property is owned by Temple Emanuel and is simply grassland. His own hedges separate his property from this abutting paper road.

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

- The Board members agreed that there is no encroachment and if the paper road were spit in half, a variance would not even be required. In addition, the variance request is small. Mr. Miller suggested that the addition be moved a few feet to reduce the variance request, but there must be at least thirty feet from the septic system in the back of the house.

*Mr. Panza made a motion to approve the variance request to construct a 600 sq. ft. family room addition. Mr. Gambardella seconded the motion. The vote was recorded as follows: Mr. Gambardella, aye; Mr. Miller, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Eisenhandler, aye. The motion PASSED.*

**PETITION #1803**, Submitted by Tracy Forlini, for property known as 342 Country Lane. The proposal is to construct an attached 900 sq. ft. garage addition to an existing dwelling. A variance of Section 383-30 A, setback from street line is requested.

- Ms. Forlini explained that a 4-car garage was approved twenty years ago but they did not build the garage at that time. They appeared before the Zoning Board of Appeals in April requesting a 4-car garage, 1150 sq. ft. in size. Their variance request was denied. She is now requesting a variance for a 3-car garage, 900 sq. ft. in size.
- Ms. Forlini explained that there is ledge behind the house and they currently have no garage, as the original garage was converted into living space. They wish to sell their home this summer but felt that it would be difficult to sell, as most buyers want a garage. The Board

felt that this is an economic, self-induced hardship, as the owners wish to get a higher sale price for the property.

- The Board inquired about the trailers on the property, and Mr. Dinice advised that the Town Attorney and the owners have reached a settlement agreement. This is not a matter of concern at this time.

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

- The Board unanimously agreed that this is a self-inflicted hardship and not the correct definition of a hardship required for a variance request. They also noted that the existing living space could be converted back into a garage.

***Mr. Gambardella made a motion to deny the variance request to construct a 900 sq. ft. three car garage, seconded by Mr. Panza. The vote was recorded as follows: Mr. Gambardella, aye; Mr. Miller, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Eisenhandler, aye. The motion PASSED.***

**PETITION #1804**, Submitted by Marie Garcia Abrines, for property known as 53 Pinecrest Road. The proposal is to construct a 22' x 22' garage addition to an existing dwelling. A variance of Section 383-30 A, setback from street line is requested.

- Mr. Paul Romanacci, 92 Pinecrest Road, will be moving to 53 Pinecrest Road. This was his mother-in-law's home and it is an existing two bedroom, one bathroom home. He would like to convert the existing garage into an additional bedroom with bath, and build a new garage. The proposed garage will be 22' x 22'. This is the only possible location for the garage as the east side of the property has an underground drainage facility and the septic is behind the house.
- The lot is small, only 30,000 sq. ft. Mr. Romanacci pointed out that his neighbors have indicated their approval of the variance request. He added that he has two children, and they need this extra living space. Photographs of the home were included with the variance application.

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

***Mr. Gambardella made a motion to approve the variance request to construct a 22' x 22' garage, seconded by Mr. Panza. The vote was recorded as follows: Mr. Gambardella, aye; Mr. Miller, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Eisenhandler, aye. The motion PASSED.***

*Mr. Panza made a motion to adjourn the meeting at 7:30 p.m., seconded by Mr. Natalino. The vote was recorded as follows: Mr. Gambardella, aye; Mr. Miller, aye; Mr. Pickering, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Eisenhandler, aye. The motion PASSED.*

Respectfully Submitted,

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Deborah Satonick,  
Recording Secretary