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ZONING BOARD OF APPEALS

Monday, August 6, 2018 - 7:00 p.m.
Orange Town Hall Meeting Room

(Unapproved)

ATTENDANCE

Members Present: Secretary Kenneth Gambardella, David Crow, Gregory Natalino, Pat Panza, and alternate Matthew Pickering

Members Absent: Chairman Noah Eisenhandler and Rudolph Miller

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

Acting Chairman, Mr. Gambardella, welcomed everyone to the July 6, 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. Gambardella 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 Gambardella noted that there was a quorum and that all five members of the Zoning Board of Appeals would be voting this evening.

APPROVAL OF MINUTES –July 4, 2018

Mr. Panza moved to approve the June 4, 2018 Zoning Board of Appeals minutes, seconded by Mr. Pickering. The vote was recorded as follows: Mr. Gambardella, aye; Mr. Pickering, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Crow, aye. The motion PASSED.

PUBLIC HEARINGS

Mr. Crow read the legal notice for the July 6, 2018 Zoning Board of Appeals meeting in its entirety.

PETITION #1805, Submitted by Tracy Forlini, for property known as 342 Country Lane. The proposal is to construct an attached 897.5 sq. ft. garage addition to an existing dwelling. A variance of Section 383-30 A, setback from street line is requested.

- Mr. Brian Goldwitz, 342 Country Lane, advised that he would like to construct a three-car garage on his property. He explained that this has been his home for many years and that he is not planning on moving. He stated that his hardship is his age, as he is concerned that he will slip/slide and fall in the snow with his vehicles being outside. He also expressed concern about having a heart attack being outside in the cold.
- Mr. Goldwitz explained that in 1993 a variance request was approved through Mr. Fred Trotta for a four-car garage in this same location on the property. Due to a recession, Mr. Goldwitz was unable to construct the garage at that time. The variance was approved due to an approved hardship, and he stated that the same hardship holds true today.
- Mr. Crow summarized the history of this variance request as follows:

1993 - The Town of Orange approved a variance request for a four-car garage, which no longer applies due to updated zoning regulations

April 2018 – Variance request for a four-car garage was denied by ZBA

June 2018 - Variance request for a three-car garage was denied by ZBA

August 2018 – Variance request for a three-car garage was denied by ZBA

- Mr. Panza explained that the zoning regulations have changed since 1993 and asked Mr. Goldwitz what is different about his application for a variance request from June to August. Mr. Crow further explained that the only hardship that the ZBA can consider involves the character of the land. Mr. Goldwitz explained that there is a reserve septic system, ledge, rock, and a water spring on the property, making this the only suitable location of the garage.

Mr. Pickering 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. Pickering, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Crow, aye. The motion PASSED.

- Mr. Panza stated that Mr. Goldwitz has sufficient property to put a sizable garage without the need of a 20 foot variance request. The Board felt that this was a self-created hardship and that the application has no significant changes from June, when it had been denied at that time.

Mr. Panza made a motion to deny the variance request to construct a three-car garage. Mr. Pickering seconded the motion. The vote was recorded as follows: Mr. Gambardella, aye; Mr. Pickering, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Crow, aye. The motion PASSED.

Mr. Crow made a motion to adjourn the meeting at 7:33 p.m., seconded by Mr. Pickering. The vote was recorded as follows: Mr. Gambardella, aye; Mr. Pickering, aye; Mr. Natalino, aye; Mr. Panza, aye; and Mr. Crow, aye. The motion PASSED.

Respectfully Submitted,

Deborah Satonick,
Recording Secretary