

Zoning Board of Appeals Meeting

Monday, March 7, 2022 – 7:00 p.m.
Orange Town Hall Meeting Room

(Unapproved)

ATTENDANCE

Board Members Present: Chairman Noah Eisenhandler, Gregory Natalino, Pat Panza, and David Crow. Matt Pickering appeared via Zoom.

Board Members Absent: Cathy Bradley

Staff: Jack Demirjian, Zoning and Wetlands Enforcement Officer; Bonnie Syat, Public Stenographer; Tamara Trantales, Administrative Assistant

Chairman Eisenhandler welcomed everyone to the March 7, 2022, Zoning Board of Appeals meeting. He called the meeting to order at 7:00 p.m. He introduced the Board members and Staff for the record. 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. Chairman Eisenhandler stated that everyone 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. All five members in attendance would be voting this evening.

Review and Approval of Minutes – November 1, 2021 meeting.

Mr. Pat Panza made a motion to approve the November 1, 2021 Zoning Board of Appeals Minutes, seconded by David Crow. The vote was recorded as follows: Mr. Panza, aye; Mr. Crow, aye; Mr. Natalino, aye; Mr. Pickering, aye; Mr. Eisenhandler, aye. All were in favor and the motion PASSED.

PUBLIC HEARINGS

PETITION #1823, Submitted by Robert and Eliane Barbieri. For property known as 35 Andrew Lane. A variance of Section 383-30 (C) regarding setbacks from Other Property Line is requested.

Mr. Robert Barbieri stated that they have an existing pool on the property, yet they do not have any privacy from the street. He explained how a shed/pool house would make sense for his family. It would add storage plus a changing area. He noted that the setback requirement is 25'. He only has 12'.

Chairman Eisenhandler stated that to be granted a variance, the applicant must show a hardship the land presents. If the property is a unique shape, for example, it would not make sense to locate the proposal elsewhere.

Mr. Barbieri stated that the septic tank and leaching fields are in the back of the property. There is a swing set in the area. Chairman Eisenhandler remarked that it is a safety issue. Discussion ensued. Mr. Panza inquired whether they had considered placing the shed parallel, closer to the pool, which would not require a variance. Mr. Barbieri stated that there

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are some trees in that area. The applicant dismissed that idea due to aesthetics and that it would not serve the same purpose in that area. Discussion continued.

Mr. Panza stated that the proposal could be moved to the other location unless it poses a safety issue. After a brief discussion, Eliane Barbieri stated that if the shed acts as part of a fence, the shed would need to be locked. Their children's bicycles would be stored in the shed. Mr. Panza asked Ms. Barbieri if it would be a safety hazard if the shed becomes part of the fence. Ms. Barbieri replied affirmatively. Chairman Eisenhandler stated that a safety issue is a basis for a hardship. He noted that there are four letters in support from the abutting neighbors.

Mr. Natalino made a motion to close the Public Hearing portion of the meeting. David Crow seconded the motion. The vote was recorded as follows: Mr. Natalino, aye; Mr. Crow, aye; Mr. Panza, aye; Mr. Pickering, aye; Mr. Eisenhandler, aye. All were in favor and the motion PASSED.

Chairman Eisenhandler stated that he accepts the application as filed. He noted that it is a unique property.

Mr. Natalino made a motion to approve the variance request as presented in Petition #1823. Mr. Crow seconded the motion. The vote was recorded as follows: Mr. Natalino, aye; Mr. Crow, aye; Mr. Pickering, aye; Mr. Panza, aye; Mr. Eisenhandler, aye. All were in favor and the motion PASSED.

Mr. Panza made a motion to adjourn the meeting at 7:18 p.m., seconded by Mr. Crow. The vote was recorded as follows: Mr. Panza, aye; Mr. Crow, aye; Mr. Natalino, aye; Mr. Pickering, aye; Mr. Eisenhandler, aye. All were in favor and the motion PASSED.

Respectfully submitted,

Tamara Trantales,
Administrative Assistant