



Zoning Board of Appeals Special Meeting

Monday, July 17, 2023 – 7:00 p.m.
Town Hall Conference Room
617 Orange Center Road

(Unapproved)

ATTENDANCE

Board Members Present: Chairman Noah Eisenhandler, Gregory Natalino, Pat Panza, David Crow, Eric Orzel, and Wayne Garrick

Board Members Absent: Cathy Bradley

Staff: Jack Demirjian, Planning and Zoning & Wetlands Officer; Bonny Syat, Public Stenographer; Deborah Satonick, Recording Secretary

Chairman Noah Eisenhandler welcomed everyone to the July 17, 2023 Zoning Board of Appeals meeting and called the meeting to order at 7:00 p.m. He proceeded to introduce the Board members, Mr. Demirjian, Zoning & Wetlands Officer; Ms. Syat, Public Stenographer; and Ms. Satonick, Recording Secretary. He explained that four positive votes are needed to approve a variance request and asked alternate Mr. Garrick to vote as the fifth member this evening. 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. 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.

1. Review of the Minutes - April 3, 2023 & July 3, 2023

Mr. Garrick made a motion to approve the April 3rd and July 3rd 2023 ZBA minutes, seconded by Mr. Panza. The vote was recorded as follows: Mr. Panza, aye; Mr. Crow, aye; Mr. Natalino aye, Mr. Garrick aye, and Mr. Eisenhandler, aye. The motion PASSED. (5-0)

PUBLIC HEARINGS

Mr. Demirjian noted that Petition #1827 and Petition #1828 are being continued from the July 3rd ZBA meeting.

2023 JUL 19 PM 4:00
RECORDED
TOWN CLERK
DEBORAH SATONICK

PETITION #1827, Submitted by Vlora LLC. For property known as 836 Baldwin Road. For the construction of a 480 sq. ft. addition to the existing house. A Variance of Section 383-30 (A) Setback from Street Line is requested.

Ms. Lindita Ifti purchased the home in March of 2023 and would like to build a side addition to extend the master bedroom, guest bedroom and closet. She explained that this is the only possible location as the garage is on the opposite side and the septic system and wetlands are in the rear of the home. The only abutting neighbor, Mr. Narowski of 834 Baldwin Road, submitted a letter of approval for the variance request.

Mr. John Tahiri, husband of Ms. Ifti, also spoke regarding the variance request. He explained that the side addition would follow the front line of the existing home. T. M Wright Excavating did a soil test for a reserve replacement location for a new septic system. However, they are not increasing the number of bedrooms or baths. An A-2 survey was included with the application, but architectural drawings were not available.

It was noted that the house was built in 1950 and most of the homes in this area are nonconforming to current zoning regulations. Due to the existing wetlands, Mr. Demirjian advised that if the applicant gets approval from the ZBA Board, they will then have to submit a Wetlands Application.

Mr. Panza made a motion to close the Public Hearing portion of the meeting, seconded by Mr. Garrick. The vote was recorded as follows: Mr. Panza, aye; Mr. Crow, aye; Mr. Natalino aye, Mr. Garrick aye, and Mr. Eisenhandler, aye. The motion PASSED. (5-0)

Mr. Crow felt that the applicant has a hardship as they are confined to a single narrow strip of property in which to expand.

Mr. Crow made a motion to approve the variance request of 20.6 feet setback from the street line, seconded by Mr. Panza. The vote was recorded as follows: Mr. Panza, aye; Mr. Crow, aye; Mr. Natalino aye, Mr. Garrick aye, and Mr. Eisenhandler, aye. The motion PASSED. (5-0)

PETITION #1828 – Submitted by Brian Long. For property known as 671 Cedar Grove. For the construction of a front porch modification, pool house, and 1-story addition. A Variance of section 373-30 (A) Setback from Street Line & Section 383-30 (B) Setback from Rear Property Line is requested.

Mr. Brian Long, owner of 671 Cedar Grove, submitted an A-2 survey, photographs, architectural drawings, and several letters from neighbors approving the variance requests. He explained that the hardship is that the property is a very irregular and unique lot. Gas and water lines are located in the front yard and the side yard has the current septic system and the reserve septic. The other side yard is too small, so the only possible location for a pool and pool house is in the rear of the house.

Mr. Long explained that the backyard abuts the open space of the Housatonic Overlook so the pool house would not be visible from the street nor to neighbors. He is requesting three variable requests in the application as follows:

Section 383-30 A – Mr. Long is requesting a .3-foot variance for an open front porch.

Section 383-30 B – Mr. Long is requesting a 39.6-foot variance for the pool house.

Section 383-30 B – Mr. Long is requesting a 2.4-foot variance for the one-story addition.

Mr. Long explained the reason for each of these variance requests in more detail. He will be adding a fourth downstairs bedroom and noted that the health inspector advised no additional upgrades will be needed to the existing septic system. There will be an outside restroom in the pool house with a possible outdoor shower. All utilities will be underground and connected to the main residence.

Mr. Panza and Mr. Garrick asked the applicant if he considered moving the pool house closer to the main home to soften the variance request. According to the applicant, the shadowing between close structures may create mold and he is very concerned that the jack hammering of the pool could create fractures with the main residence foundation. It would also be crowded for outdoor furniture if the paver patio were to be downsized.

Chairman Eisenhandler read four letters from neighbors approving the variance requests. They were from Randi and Stuart Herskowitz, 660 Cedar Grove, Michael and Susan Donadeo, 672 Cedar Grove, Nicholas and Patti Mastrangelo, 655 Cedar Grove, and Sarah and Jose Restrepo, 682 Cedar Grove.

Mr. Natalino 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. Crow, aye; Mr. Natalino aye, Mr. Garrick aye, and Mr. Eisenhandler, aye. The motion PASSED. (5-0)

It was agreed to vote for each of the three variance requests individually.

Mr. Panza made a motion to approve the .3 foot variance request for the open front porch, as shown on the A-2 survey. Mr. Garrick seconded the motion. The vote was recorded as follows: Mr. Panza, aye; Mr. Crow, aye; Mr. Natalino aye, Mr. Garrick aye, and Mr. Eisenhandler, aye. The motion PASSED. (5-0)

Mr. Corris made a motion to approve the 2.4 foot variance request for the first story addition, as shown on the A-2 survey. Mr. Garrick seconded the motion. The vote was recorded as follows: Mr. Panza, aye; Mr. Crow, aye; Mr. Natalino aye, Mr. Garrick aye, and Mr. Eisenhandler, aye. The motion PASSED. (5-0)

Mr. Corris made a motion to approve the 39.6 foot variance request to construct a pool house. Mr. Garrick seconded the motion. The vote was recorded as follows: Mr. Panza, nay; Mr. Crow, aye, Mr. Natalino aye, Mr. Garrick aye, and Mr. Eisenhandler, aye. The motion PASSED. (4-1)

Mr. Garrick and the entire ZBA members sent their condolences to Mr. Torrenti for his loss. Chairman Eisenhandler advised that donations can be made to the Orange Visiting Nurses Association.

Mr. Panza stated, for the record, that he would like to expand Section 383-12 in the zoning regulations regarding their power of duty. He explained that the TPZC can enforce their regulations

and he would like to see the ZBA work more closely with this department to ensure the health, safety, and welfare of the residents. He explained that oftentimes a change of use by Special Exception is made without a town referendum. Few residents read the Legal Notices in the New Haven Register, so they are not aware of these changes. Over the course of time, the dynamics of the Town of Orange have slowly changed, moving away from a farm town. He is concerned about the long-range future dynamics within the town. He will be contacting an attorney to review this matter in greater detail.

Chairman Eisenhandler asked Mr. Demirjian if he could help applicants better understand the nature of a “hardship” and suggested giving them a printed handout outlining what the Zoning Board of Appeals is looking for. Mr. Demirjian advised that he reviews the nature of a hardship with each applicant and suggests that they retain legal representative, but he will research for some written description of the zoning description of “hardship” to be distributed to applicants.

Mr. Natalino made a motion to adjourn the meeting at 8:48 p.m. Mr. Panza seconded the motion. The vote was recorded as follows: Mr. Panza, aye; Mr. Crow, aye; Mr. Natalino aye, Mr. Garrick aye, and Mr. Eisenhandler, aye. The motion PASSED. (5-0)

Respectfully Submitted,
Deborah Satonick
Recording Secretary