

Town of Essex - Zoning Board of Appeals

**29 West Avenue
Essex, CT 06426**

Record of the Vote Regular Meeting - April 19, 2011

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, April 19, 2011 at 8:00 p.m. in Room A of the Essex Town Hall. Members present were Stu Ingersoll, Doug Demarest, Lynn Faulstick, Paul Greenberg and Tim Furgueson. Also in attendance were Michael Wells, legal counsel to the Board and Stella Beaudoin, Recording Secretary.

Motion made by Stu Ingersoll to approve a Variance for Application #11-1 on behalf of Amalia Coppolecchia, property located at 15 Falls River Drive, Ivoryton, CT, Assessor's Tax Map 42 Lot 42, VR District, requesting a variance of Sections 40C, 40D, 40I and 40I.1 of the Essex zoning regulations. This is an application to locate a 30' x 30' detached garage within the front and the side yard setbacks. The detached garage will be situated on the north end of the lot. The proposed location is 16 feet from the front property line where 30 feet is allowed. This Variance is granted on the basis that this is a unique property where approximately one-third of the property is underwater; the location of the septic system is such that the proposed location is the only location on which this proposal can be constructed. The hardship lies with the topography and the unusual configuration of the lot. This proposal is granted in accordance with the plans "Additions and Renovations to: 5 Falls River Drive, Ivoryton, CT received March 29, 2011."

Discussion

This is a unique lot in that so much of it is underwater. It is surrounded by Essex Land Trust property on one side and water on the other side, and one-third of the property is underwater. The location and the leaching field dictate the location of the proposal, all of which provides sufficient hardship to allow for a Variance.

Motion seconded by Lynn Faulstick and passed unanimously.

Motion made by Stu Ingersoll to approve a Variance for Application #11-2 on behalf of Herb Clark for Sharon D. Clark, property located at 11 Hilltop Avenue, Essex, CT, Assessor's Tax Map 46 Lot 39, VR District, requesting a variance of Sections 60B, 40C, 40D, 40I and 40I.1 of the Essex zoning regulations. This is an application to locate a 22' x 36' "carriage shed" at the southern end of the lot almost entirely within the front yard setback area. The Variance is granted as presented based on the topography of the property which makes this property unique. The proposed location for the carriage shed is reasonable and the application was supported by the neighbors. This Variance is granted in accordance with the plans: "Property Survey Plan properties of Susan M. Gregory 11 Hilltop Avenue and Susan E. Saltus, 55 Saybrook Road, Essex, CT (dated March 3, 2011 and received April 19, 2011), by Angus McDonald Gary Sharpe & Associates, Inc."

Motion seconded by Lynn Faulstick and passed unanimously.

Motion made by Lynn Faulstick to approve a Variance for Application #11-3 on behalf of Stanley Dietz, property located at 221 Westbrook Road, Essex, CT, Assessor's Map 91, Map 13, RU District, requesting a variance of Sections 61B of the Essex zoning regulations. This is an application to add a screen porch to the rear of an existing single family residence. The lot coverage would increase from 9.6% to 10.4%. This Variance is approved with the understanding that no walls will be constructed and no glass will be installed. This proposal is for the construction of a screened porch going over the patio area. This Variance is granted in accordance with the plan received March 15, 2011 as a part of this application. The hardship is that this is a preexisting property which preceded the change in the Essex zoning regulations. The applicant proposes no changes in the surface and will simply place a roof over the screened-in porch. The approval of this Variance mandates the applicant cannot change the screened-in porch to a living space without further review by the Essex Zoning Board of Appeals.

Motion seconded by Paul Greenberg and passed unanimously.

Motion made by Stu Ingersoll to approve a Variance for Application #11-4 on behalf of J.T. Flower for Caroline Flower, property located at 2 Essex Square, Essex, CT, Assessor's map 47, lot 88, EV District, requesting a variance of Section 110F.4 of the Essex zoning regulations. This is an application requesting approval to not require four (4) parking spaces for a potential office space. The lot currently contains a single commercial building but a variance granted in September, 2009 allowed the reconstruction of a barn to take place. Within the barn there may be a proposed use for a professional office. The applicant is looking for relief from the Town's parking requirements for this proposed professional office use. The hardship surrounding this Variance is the configuration of the property which predates zoning. The Variance is granted in accordance with the plans: "The Castiglioni Family LLC VOL 249 PG 518. Received March 22, 2011."

Discussion: There is more than adequate parking on the property with the existing spaces. This is a unique property with ample existing parking. If a future owner requests a change in the use which would change the parking scenario, that person will be required to appear before the Essex ZBA.

Motion seconded by Lynn Faulstick and passed unanimously.

Respectfully submitted

Stella C. Beaudoin
Recording Secretary