

TOWN OF ESSEX
Zoning Board of Appeals

Executive Board

Paul Greenberg, Chair
Michael Noto, Vice Chair

29 West Avenue • Essex, Connecticut 06426
Telephone (860) 767-4340 • FAX (860) 767-8509

Regular Members

Al Daddona
W. T. Furgueson
William Veillette

Alternate Members

Ward Feirer
Barbara Sarrantonio
Peter Decker

Record of the Vote
April 21, 2015 – Public Hearing and Regular Meeting

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, April 21, 2015 at 7:00 p.m. in Room A of the Essex Town Hall. Attending Members were P. Greenberg, M. Noto, A. Daddona, P. Decker, W. Veillette, and W. Feirer, seated for W. T. Furgueson. B. Sarrantonio present, however not seated.

MOTION MADE by M. Noto to approve **Application No. 15-1** on behalf of Kevin and Kathleen Duggan, 1 Laurel Road, Essex, CT, Assessor's Map 27, Lot 21, VR District, requesting variances to sections 40D, 40E, 40I.1, 50D and 60B of the Essex zoning regulations to expand a portion of a house to a point 22 feet from a front property line where 30 feet is required. Also, to allow the proposed expansion to increase the maximum allowed building coverage from 9% to 10.5% where 10% is the maximum coverage allowed. This proposal presents a small encroachment on the setback and any changes to the structure would be in violation of the zoning regulations. The hardship associated with this proposal is the preexisting nature of the structure and the additional violation of the setback is minimal. This application is approved in accordance with the plans as submitted. **SECONDED** by W. Veillette; **IN FAVOR:** P. Greenberg, A. Daddona, W. Veillette, W. Feirer, M. Noto.; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

MOTION MADE by M. Noto to approve **Application No. 15-5** on behalf of Andy Teran, 24 Hemlock Drive, Essex, CT, Assessor's Map 74, Lot 19, RU District, requesting variances to sections 40D, 40E, 50D, 40I.1 and 61B of the Essex zoning regulations to upwardly expand a portion of a house that is located in the rear yard setback area. The hardship is that the existing house which predates the zoning regulations is nonconforming and it is currently situated within the setback. There is no proposed change in the footprint and the proposal does not alter or change the space that is to be occupied. This application is approved in accordance with the plans as submitted. **SECONDED** by P. Decker; **IN FAVOR:** M. Noto, W. Veillette, P. Greenberg, A. Daddona, P. Decker; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

MOTION MADE by P. Decker to approve **Application No. 15-6** on behalf of Mark and Suzette Bavalack, 34 Main Street, Ivoryton, CT, Assessor's Map 56, Lot 14, VR District, requesting a variance to section 45C.2 of the Essex zoning regulations to allow a potential accessory apartment to be located within 40 feet of another family dwelling unit and to be within 15 feet of a side property line. The hardship associated with this proposal is that the structure is nonconforming and preexisting prior to the zoning regulations. The Variance is hereby granted with the provision that the boathouse is never to be converted

into a space with the intent of occupancy. This application is approved in accordance with the plans as submitted. **SECONDED** by M. Noto; **IN FAVOR:** M. Noto, W. Veillette, P. Greenberg, A. Daddona, P. Decker, W. Feirer; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 6-0-0.

MOTION MADE by P. Greenberg to approve a Variance for **Application No. 15-7** on behalf of Pamela and Cyrus Kissling, 2 Prospect Street, Essex, CT, Assessor's Map 27, Lot 68, VR District, requesting variances to 40C, 40D, 40I.1 and 60B of the Essex zoning regulations to allow the demolition and replacement of a nonconforming section of the existing house, with the provision that the proposed structure will be rebuilt on the same footprint. The hardship is that the structure precedes the zoning regulations, and the property is small and narrow. The Variance request to allow a new 24' x 24' detached garage to encroach each side yard setback and to increase the existing building coverage from 15% to 18.1% where 10% is the maximum coverage allowed is hereby denied without prejudice. This application for demolition and replacement of a nonconforming section of the existing house is approved in accordance with the plans as submitted. **SECONDED** by A. Daddona; **IN FAVOR:** M. Noto, W. Veillette, P. Greenberg, A. Daddona, P. Decker, W. Feirer; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 6-0-0.

MOTION MADE by M. Noto to approve **Application 15-8** on behalf of Kenneth Thompson, 9 Maple Avenue, Essex, CT, Assessor's Map 17, Lot 30, VR District, requesting variances to sections 40D, 40E, 40I.1, 50D and 60B to allow a 6' x 11.5' addition to a point 15 feet, 2 inches from the side property line where 25 is required. Also, to allow an increase in building coverage from 10.15% to 10.6% where 10% is the maximum building coverage allowed. The hardship associated with this proposal is that the proposed increase of coverage and the violation of setback is minimal and not extending beyond the side violation or front yard measurement of the house. This application is approved in accordance with the plans as submitted. **SECONDED** by W. Veillette; **IN FAVOR:** M. Noto, W. Veillette, P. Greenberg, W. Feirer, A. Daddona, P. Decker; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 6-0-0.

MOTION to approve the March 2015 Minutes as amended; **MADE** by M. Noto; **SECONDED** by W. Veillette; **IN FAVOR:** M. Noto, W. Veillette, P. Greenberg, W. Feirer, A. Daddona, P. Decker; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 6-0-0.

MOTION to adjourn the meeting at 8:35p.m. to the next regularly scheduled meeting to be held on Tuesday, May 19, 2015 at 7:00 p.m. at the Essex Town Hall, Conference Room A, 29 West Avenue, Essex, CT; **MADE** by M. Noto; **SECONDED** by M. Noto; **IN FAVOR:** M. Noto, W. Veillette, P. Greenberg, W. Feirer, A. Daddona, P. Decker; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 6-0-0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary