

TOWN OF ESSEX  
**Zoning Board of Appeals**

**Executive Board**

*Paul Greenberg, Chair*  
*Michael Noto, Vice Chair*

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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**  
**October 20, 2015**

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, October 20, 2015 at 7:00 p.m. in Room A of the Essex Town Hall. Attending Members were P Greenberg, Chair, A. Daddona, W. T. Furgueson, W. Veillette. Alternate members, P. Decker, W. Feirer and B. Sarrantonio.

**MOTION** to grant a variance to **Application No. 15-16** on behalf of Cumberland Farms, 82 Main Street, Centerbrook, CT, Assessor's Map 43, Lot 29, C District, requesting variances to section 104D2, of the Essex Zoning regulations to allow two 20,000 underground storage tanks, which is an extension of a non-conforming use within a Water Resource District; The removal of the three existing tanks with a total capacity of 18,000 gallons, with the installation of two tanks with a total capacity of 20,000 gallons, provides a dramatic improvement over the existing tanks and offers enhanced safety features, therefore reducing the nonconformity. The variance is approved in accordance with the plans submitted; **MADE** by W.T. Furgueson; **SECONDED** by A. Daddona; **IN FAVOR:** A. Daddona, W. Veillette, W.T. Furgueson, W. Feirer; **OPPOSED:** B. Sarrantonio; **ABSTAINING:** None; **MOTION CARRIED:** 4-1-0.

**MOTION** to grant a variance to, **Application No. 15-16** on behalf of Cumberland Farms, 82 Main Street, Centerbrook, CT, Assessor's Map 43, Lot 29, C District, requesting variances to section 104D3, of the Essex Zoning regulations which allows the maximum of 30% of the lot to be impervious. The proposed impervious area will be increased from the present 51.1% to 64.5%. The hardship is related to the configuration of the property and the fact that the parking area requires that an additional impervious area be created above the 51.1%. The variance is approved in accordance with the plans submitted; **MADE** by W. Feirer; **SECONDED** by A. Daddona; **IN FAVOR:** A. Daddona, W. Veillette, W.T. Furgueson, W. Feirer, B. Sarrantonio; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

**MOTION** to grant a variance to, **Application No. 15-16** on behalf of Cumberland Farms, 82 Main Street, Centerbrook, CT, Assessor's Map 43, Lot 29, C District, requesting variances to section 80.B, of the Essex Zoning regulations to reduce the parking spaces from 18 to 16 spaces. In accordance with Adolphson, the applicant proposes to reduce an existing nonconformity and comply with the 15 foot buffer. The hardship is the location of the corner lot. The variance approved in accordance with the plans submitted; **MADE** by W. Veillette; **SECONDED** by A. Daddona; **IN FAVOR:** A. Daddona, W. Veillette, W.T. Furgueson, W. Feirer, B. Sarrantonio; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

**MOTION** to grant a variance to, **Application No. 15-16** on behalf of Cumberland Farms, 82 Main Street, Centerbrook, CT, Assessor's Map 43, Lot 29, C District, requesting variances to sections 40D, 40U, 50C.2 and 50D of the Essex Zoning regulations to allow proposed site development and the demolition and relocation of an existing retail store to one that is 3,742 square feet in size, with the food service portion being a non-conforming expansion in conjunction with fuel sales. Also, to expand underground storage, which is an expansion of a non-conforming use within a Water Resource District. Section 40U restricts the

retail sale of groceries to 50 square feet. The applicant proposes the sale of prepackaged food service, and therefore under Adolphson, which states that while the overall present building footprint has increased from 2,373 s.f. to 3,742 s.f., the retail area as computed by the applicant has been reduced from 1,200 s.f. to 1,185 s.f., reducing a non conformity by 15 s.f. The variance approved in accordance with the plans submitted; **MADE** by A. Daddona; **SECONDED** by W. T. Furgueson; **IN FAVOR:** A. Daddona, W. Veillette, W.T. Furgueson, W. Feirer; **OPPOSED:** B. Sarrantonio; **ABSTAINING:** None; **MOTION CARRIED:** 4-1-0.

**MOTION** to grant a Variance to **Application No. 15-19** on behalf of Mark Reeves for Ted Barnard and Laura Berghuis, 3 Pond Meadow Road, Ivoryton, CT, Assessor's map 62, Lot 1-1, RU District, requesting variances to sections 40D, 40E, 40I.1, 50D and 61B of the Essex zoning regulations to raise the roof line of a section of the existing house that is currently in the front setback. There is no increase in the footprint and the flat roof has exceeded its life expectancy. The design includes an architectural feature which is not a habitable space. The hardship associated with this proposal is the location of this circa 1700's home in its proximity to the road. This variance is approved in accordance with the plans as submitted ; **MADE** by A. Daddona; **SECONDED** by W.T. Furgueson; **IN FAVOR:**. P. Greenberg, A. Daddona, W. Veillette, W. T. Furgueson, M. Noto; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

**MOTION** to grant a Variance to **Application No. 15-20** on behalf of Annelisa Santoro, 48 Main Street, Essex, CT, Assessor's map 47, Lot 25, EV District, requesting variances to sections 40Q of the Essex zoning regulations to allow a swimming pool to come to a point 5 feet from a side property line where 20 feet is required. The hardship associated with this proposal is the shape of the lot, the location of the septic system in conjunction with the installation of this therapy pool. This variance is approved in accordance with the plans as submitted; **MADE** by W. Veillette.; **SECONDED** by A. Daddona; **IN FAVOR:**. P. Greenberg, A. Daddona, W. Veillette, W. T. Furgueson; **OPPOSED:** M. Noto; **ABSTAINING:** None; **MOTION CARRIED:** 4-1-0.

**MOTION** to approve the September 15, 2015 Minutes as presented; **MADE** by A. Daddona.; **SECONDED** by P. Greenberg **IN FAVOR:**. A. Daddona, W. Veillette, W. T. Furgueson, P Greenberg, M. Noto; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

**MOTION** to adjourn the meeting at 9:10p.m. to the next regularly scheduled meeting to be held on Tuesday, November 17, 2015 at 7:00 p.m. at the Essex Town Hall, Conference Room A, 29 West Avenue, Essex, CT; **MADE** by W. T. Furgueson; **SECONDED** by W. Veillette; **IN FAVOR:** A. Daddona, W. Veillette, W. T. Furgueson, P. Greenberg, M. Noto; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

Respectfully submitted,

Stella C. Beaudoin  
Recording Secretary