



TOWN OF ESSEX  
**Zoning Board of Appeals**

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**Executive Board**

*W. T. Furgueson, Chair*  
*B. Sarrantonio, Vice Chair*  
*W. Feirer, Secretary*

**Regular Members**

*Philip P Schaller*  
*Brian Weinstein*

**Alternate Members**

*Philip J. Beckman*  
*George Wendell*  
*Richard Rybak*

**Record of the Vote**  
**September 17, 2019 – Zoning Board of Appeals**

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, September 17, 2019 at 7:00 p.m. in Room B of the Essex Town Hall. Present at the meeting were W. T. Furgueson, Ward Feirer, Phillip Schaller, Phillip Beckman, George Wendell, Richard Rybak, Brian Weinstein.

**MOTION** made by G Wendell to approve **Application No. 19-22** on behalf of John Shimanski, 5 Main Street, Centerbrook, CT, Assessor's Map 44, Lot 10, C District, requesting variances to sections 40E, 40I.1, 50D and 80C of the zoning regulations to allow a 3 foot increase in height to the front facade of an existing building that is 13 feet from the front property line where 30 feet is required. This proposal presents a reduction of a nonconformity by removal of existing sign and awning. This proposal is approved in accordance with the plans as submitted; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, P Beckman, G Wendell, P Schaller; **ABSTAINING:** None; **MOTION CARRIED** 4-0-0.

**MOTION** made by W Feirer to approve **Application No. 19-23** on behalf of Gary Dayharsh, 57 Main Street, Ivoryton, CT, Assessor's Map 41, Lot 17, RUM District, requesting variances to sections 40D, 40E, 40I.1, 50D and 61B and 62B of the zoning regulations to locate a deck to a point 20 feet from a rear property line where 30 feet is required. This proposal presents no increase in property line and the contour. The hardship surrounding this proposal is related to the topography which makes it difficult to place the deck in another location. The deck will be situated over an existing patio; This proposal is approved in accordance with the plans as submitted; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, W Feirer, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

**MOTION** made by P Beckman to approve **Application No. 19-24** on behalf of Robert Rabine, 63 Main Street, Essex, CT, Assessor's Map 47, Lot 21-1, WF District, requesting variances to sections 40D, 40I.1 and 111 A.4 of the zoning regulations to locate a freestanding sign 2 feet from the front property line where 10 feet is required, and within a side setback where 20 feet is required from each property line. The hardship associated with this proposal is the location of the septic the topography and the narrowness of the drive, and recognizing that there is no site line impact by placing the sign in this location; This proposal is approved in accordance with the plans as submitted; **SECONDED** by W T Furgueson; **IN FAVOR:** WT Furgueson, W Feirer, P Schaller, P Beckman, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

**MOTION** made by W Feirer to approve the August 20, 2019 Minutes with the following amendment: 1) Page 2, 3<sup>rd</sup> paragraph 3 to read: “ the town allowed *the existing structure*; 2) *M Wells stated that the existing structure may have been legal*; 3) *The question is there a hardship? Could the new building be placed anywhere else on the property and the answer is yes.*” 4) Remove: “What the law requires and what the law will permit”; **SECONDED** by R Rybak; **IN FAVOR:** W T Furgueson, G Wendell, W Feirer, Phillip Schaller, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

**MOTION** made by W T Furgueson to adjourn the meeting at 7:45p.m.to the next regularly scheduled meeting which will be held on Tuesday, October 15, 2019 at 7:00 p.m. at the Essex Town Hall, Conference Room A, 29 West Avenue, Essex, CT; **SECONDED** by W Feirer; **IN FAVOR:** W T Furgueson, G Wendell, W Feirer, Phillip Schaller, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

Stella A Caione  
Recording Secretary