



TOWN OF ESSEX
Zoning Board of Appeals

Executive Board
W. T. Furgueson, Chair
W Feirer, Vice Chair
Philip P Schaller, Secretary

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

Regular Members
B. Sarrantonio
Philip J Beckman

Alternate Members
George Wendell
Richard Rybak
Susan Feaster

Record of the Vote
September 21, 2021 – Zoning Board of Appeals

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, September 21, 2021 at 7:00 p.m. at the Essex Town Hall, Meeting Room A and also public access via online through Zoom. Commission members seated were: W T Furgueson, P Schaller, P Beckman, G Wendell for W Feirer.

MOTION made by P Beckman to close the public hearing on **Application No. 21-38** on behalf of Jonathan and Michele Carlisle, **39A River Road, Essex, CT**, Assessor's Map 10 Lot 19, RU District, requesting variances to sections 40D, 40E, 40I1, and 40Q of the zoning regulations to construct an inground swimming pool to be 10 feet where 20 feet is required at 7:20p.m.; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None;

MOTION made by W T Furgueson to close the public hearing on **Application No. 21-39** on behalf of John Parunak, **22 Laurel Road, Essex, CT**, Assessor's Map 27 Lot 11, VR District, requesting variances to sections 40C, 40D, 40E, 40I1, 50D and 60B of the zoning regulations to construct a deck to be located 22 feet from the property line where 25 feet is required and have a coverage of 13.5% where 10% is allowed at 7:26pm; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 4-0-0. Discussion:** No further discussion.

MOTION made by P Beckman to close the public hearing on **Application No. 21-40** on behalf of Kevin and Carol Dugan, **33 Highland Terrace, Ivoryton, CT**, Assessor's Map 38 Lot 15, RU District, requesting variances to sections 40C, 40D, 40E, 40I1, 50D and 61B of the zoning regulations to construct a covered porch with a setback of 27 feet where 40 feet is required, construction of a covered entry located 30 feet where 40 feet is required, and construction of a deck 16 feet from a

property line where 30 feet is required at 7:50pm; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 4-0-0. Discussion:** No further discussion.

Application No. 21-41 was continued to October 19, 2021 due to improper notice.

MOTION made by W T Furgueson to close the public hearing for **Application No. 21-42** on behalf of Brad Tully, **26 South Main Street, Essex, CT**, Assessor's Map 46 Lot 4, VR District, requesting variances to sections 40C, 40D, 40I1, and 60B of the zoning regulations to permit a pergola approx. 10'-6" width by 42' long and a height of 8'-11" located within 5 feet of the side property line where 25 feet is required at 8:05pm; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 4-0-0. Discussion:** No further discussion.

MOTION made by G Wendell to approve a Variance **Application No. 21-38** on behalf of Jonathan and Michele Carlisle, **39A River Road, Essex, CT**, Assessor's Map 10 Lot 19, RU District, requesting variances to sections 40D, 40E, 40I1, and 40Q of the zoning regulations to construct an inground swimming pool to be 10 feet where 20 feet is required with the following conditions as per the CT River Gateway Commission: 1) minimal tree removal occur for the installation, especially on the Cove side of the proposed pool site. 2) although visual impacts are Gateway's primary concern, a condition is requested that requires any draining of the pool to be directed to the front area of the dwelling and not to Falls River Cove, this for water quality purposes. The Board acknowledges that the applicant stated during the hearing that he will abandon variance #19-31 that was heard on December 17, 2019. The hardship is the slope of the land limits the location of the pool. This proposal is approved in accordance with the plans as submitted; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 4-0-0. Discussion:** No further discussion.

MOTION made by W T Furgueson to approve a Variance **Application No. 21-39** on behalf of John Parunak, **22 Laurel Road, Essex, CT**, Assessor's Map 27 Lot 11, VR District, requesting variances to sections 40C, 40D, 40E, 40I1, 50D and 60B of the zoning regulations to construct a deck to be located 22 feet from the property line where 25 feet is required and have a coverage of 13.5% where 10% is allowed; The hardship associated with this proposal surrounds the topography of the land and the existing house which preexisted zoning. This proposal is approved in accordance with the plans as submitted; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 4-0-0. Discussion:** No further discussion.

MOTION made by P Beckman to approve a Variance for **Application No. 21-40** on behalf of Kevin and Carol Dugan, **33 Highland Terrace, Ivoryton, CT**, Assessor's Map 38 Lot 15, RU District, requesting variances to sections 40C, 40D, 40E, 40I1, 50D and 61B of the zoning regulations to construct a covered porch with a setback of 27 feet where 40 feet is required, construction of a covered entry located 30 feet where 40 feet is required, and construction of a deck 16 feet from a

property line where 30 feet is required; The hardship is that the lot predates zoning, the topography does not allow for any improvements to the deck other than where it is situated, and the owner is reducing a nonconformity. The Board acknowledges the GIS map that was last updated on April 13, 2021 and annotated by the applicant to include scale dimensions, will be the governing document for construction. **SECONDED** by W T Furgueson; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 4-0-0. **Discussion:** No further discussion.

MOTION made by G Wendell to approve a Variance for **Application No. 21-42** on behalf of Brad Tully, **26 South Main Street, Essex, CT**, Assessor's Map 46 Lot 4, VR District, requesting variances to sections 40C, 40D, 40I1, and 60B of the zoning regulations to permit a pergola approx. 10'-6" width by 42' long and a height of 8'-11" located within 5 feet of the side property line where 25 feet is required with the condition that the fence behind the pergola and located along the property line between 9 Evans Lane and 26 South Main Street will be maintained. The hardship associated with this proposal is that the house was constructed prior to zoning and this proposal is a logical extension of the house. This proposal is approved in accordance with the plans as submitted; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 4-0-0. **Discussion:** No further discussion.

MOTION made by W T Furgueson to approve the August 17, 2021 Minutes with following amendments: 1) George Wendell was at the meeting, however he was not seated; 2) Page 3, 3rd paragraph, correct the spelling of the word *queue*; 3) Page 8, 4th line to read: "*25 feet from the front setback where 40 feet is required*"; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 4-0-0. **Discussion:** No further discussion.

MOTION made by W T Furgueson to adjourn the meeting at 8:25 pm to the next regularly scheduled meeting which will be held on Tuesday, October 19, 2021 at 7:00 p.m., at the Essex Town Hall, in Meeting Room A, and accessible via online. Refer to Town of Essex website for the Zoom link and related information; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, G Wendell, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 4-0-0. **Discussion:** No further discussion.

Respectfully submitted,
Stella A Caione