

TOWN OF ESSEX
Zoning Board of Appeals

Executive Board
Doug Demarest, Vice Chairman

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Regular Members

*Al Daddona
Michael Noto
Paul Greenberg*

Alternate Members

*W. T. Furgueson
William Veillette*

Record of the Vote
September 17, 2013 – Public Hearing and Regular Meeting

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, September 17, 2013 at 7:30 p.m. in Room A of the Essex Town Hall.

Attending Members:

Doug Demarest, Vice Chair
Al Daddona, Regular Member
Paul Greenberg, Regular Member
Michael Noto, Regular Member
W.T. Furgueson, Alternate was seated
William Veillette, Alternate Member

Absent Members:

Staff:

Michael Wells, Legal Counsel to the Board
Stella Beaudoin, Recording Secretary

Mr. Veillette was not seated for the meeting.

- **MOTION** to grant Variance to **Application 13 - 19** on behalf of Mary Ludwig at 5 Donald Road Extension, Essex, CT, Assessor's Map 26, Lot 55, VR District, requesting a variance to section 60B of the Essex zoning regulations to allow a lot line revision that would cause an existing lot that is 30,056 square feet to become even less non-conforming at 28,831 square feet where 60,000 is the minimum lot area required. The hardship is that the applicant is in process of selling her property and the existing driveway does not comply with current lending standards. In order to modify the issue, the applicant needs a variance to sell the property. This Variance is approved based on the plans as submitted dated August 5, 2013. **MADE** by M. Noto; **SECONDED** by A. Daddona; **No Discussion: IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W.T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.
- **MOTION** to grant a Variance to **Application No. 13 - 20** on behalf of David Deleeuw, at 8 Harborview Drive, Essex, CT, Assessor's Map 69, Lot 46, RU District, requesting variances to

sections 40D, 40E, 50D and 61B of the Essex zoning regulations to allow a garage addition to increase the existing building coverage from 8.57% to 9.63% where 7.5% is the maximum coverage allowed. There is a minor extension in the coverage associated with this proposal. The hardship associated with this proposal is the change in the Zoning Regulations as they relate to the 7.5% coverage requirement. This Variance is approved based on the plans as submitted; **MADE** by A. Daddona; **SECONDED** by M. Noto; **No Discussion: IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W.T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

- **MOTION** to grant a continuance to **Application No. 13 - 21** on behalf of Robert Osborn at 31 Book Hill Woods Road, Essex, CT, Assessor's Map 7, Lot 1-9, RRR District, requesting variances to sections 40C, 40D, 40I.1, and 64B of the Essex zoning regulations to locate a 10' x 16' garden shed to a point 24 feet from a side property line where 30 feet is required. The applicant's proposal presents a minor violation of the regulations, however the proposed location of the shed does not appear to be necessary. This application is in fact for the construction of a garage, not a garden shed and if the applicant moves the structure six feet outside of the property line, he will be within the current regulations. The applicant will place stakes in the location discussed at this evening's meeting and Commissions will visit the property between now and the October 15, 2013 ZBA meeting; **MADE** by M. Noto; **SECONDED** by P. Greenberg; **IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W.T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

MOTION to grant a Variance to **Application No. 13 – 22** on behalf of JMB Property, LLC, at 31-33 Main Street, Centerbrook, CT, Assessor's Map 44, Lot 28, C District, requesting variances to sections 40M and 110F.37 of the Essex zoning regulations to allow thirty-five off-street parking spaces when forty-four parking spaces are required for existing and proposed uses. This is a pre-existing structure and a pre-existing use and it is the opinion of the Board that application for a variance should not have been required. This Variance is approved based on the plans as submitted; **MADE** by D. Demarest ; **SECONDED** by A. Daddona ; **IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W.T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

- **MOTION** to grant a Variance to **Application No. 13 – 23** on behalf of John Mezzio, at 27 Grandview Terrace, Essex, CT, Assessor's Map 27, Lot 83, VR District, requesting variances to sections 40D, 40E, 50D and 60B of the Essex zoning regulations to allow a house addition to increase the lot's building coverage from 6.8% to 8.3% where 7.5% is the maximum coverage allowed. The hardship associated with this proposal is the lot is pre-zoning and there is a minor increase in coverage. The kitchen will be handicap accessible and therefore ADA compliant. The materials for the exterior addition will match the house. This Variance is approved based on the plans as submitted; **MADE** by P. Greenberg; **SECONDED** by D. Demarest; **IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W.T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.
- **MOTION** to grant a Variance to **Application No. 13 – 24** on behalf of the Essex Fire Department, at a lot on Plains Road, Essex, CT, Assessor's Map 53, Lot 14, LI District, requesting a variance to section 40A, 90C.1.A to allow a principal use of a fire training facility on the same lot as an existing principal use of a recreational ball field. The hardship associated with this proposal is the restricted definition of a lot which prohibits the use of the property.

However, it is the opinion of the Board that application for a variance should not have been required. This Variance is approved based on the plans as submitted; **MADE** by M. Noto; **SECONDED** by W. T. Furgueson; **IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W.T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

MOTION to approve the August 19, 2013 meeting Minutes as presented; **MADE** by M. Noto; **SECONDED** by P. Greenberg; **IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W.T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

MOTION to delay the nomination of a Chairman for the ZBA and that William Timothy Furgueson be elevated from an alternate to a regular member; **MADE** by M. Noto; **SECONDED** by P. Greenberg; **IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W. T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

MOTION to approve the bills as presented; **MADE** by M. Noto; **SECONDED** by P. Greenberg; **IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W. T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

MOTION made to adjourn the meeting at 9:55 p.m. to the next regularly scheduled meeting to be held on Tuesday, October 15, 2013 at the Essex Town Hall, Conference Room A, 29 West Avenue, Essex, CT; **MADE** by A. Daddona; **SECONDED** by D. Demarest; **VOTING IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto, W. T. Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

Respectfully submitted,
Stella C. Beaudoin
Recording Secretary