

**TOWN OF ESSEX  
LAND USE APPLICATION  
PART ONE**

PLEASE CHECK THE APPROPRIATE LINE(S) AND ATTACH THE APPROPRIATE APPLICATION(S):

SPECIAL EXCEPTION	<input type="checkbox"/>	VARIANCE/ APPEAL	<input type="checkbox"/>
SITE PLAN REVIEW	<input checked="" type="checkbox"/>	APPROVAL OF LOCATION	<input type="checkbox"/>
INLAND WETLANDS PERMIT	<input type="checkbox"/>	REGULATION TEXT AMENDMENT	<input type="checkbox"/>
INLAND WETLANDS PERMIT - AGENT APPROVAL	<input type="checkbox"/>	ZONE CHANGE	<input type="checkbox"/>
	<input type="checkbox"/>	COASTAL SITE PLAN REVIEW	<input type="checkbox"/>
SUBDIVISION OR RESUBDIVISION	<input type="checkbox"/>	MODIFICATION OF PRIOR APPROVAL	<input type="checkbox"/>
LOT LINE REVISION	<input type="checkbox"/>	SPECIAL FLOOD HAZARD AREA PERMIT	<input type="checkbox"/>

**PROJECT DESCRIPTION:**

The house is located within the Gateway Conservation District. The project seeks approvals to expand and modify the northeast entryway and to relocate the bilco door to south of the property. All improvements are outside the 100 foot Gateway Riparian Buffer.

**PROJECT NAME:** 10 Benson Lane

**STREET ADDRESS OF PROPERTY** 10 Benson Lane

**ASSESSOR'S MAP** 70 **LOT** 006 **LOT SIZE** 90,208 s.f. **DISTRICT** RU

**APPLICANT** Marc D. & Elizabeth B. Schnitzer  
10 Benson Lane, Essex, CT 06426 **PHONE** 917-699-5800

**APPLICANT'S AGENT (if any)** Edward M. Cassella, Esq., Cloutier & Cassella, LLC, 29 Elm Street,  
Old Saybrook, CT 06475 **PHONE** 860-388-3456

**ENGINEER/SURVEYOR/ARCHITECT** Angus McDonald Gary Sharpe & Associates, Inc.  
P.O. Box 608, 233 Boston Post Road, Old Saybrook, CT 06475 **PHONE** 860-388-4671

**Note:**

1) TO BE ACCEPTED BY THE LAND USE OFFICE. THIS APPLICATION MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH THE REQUIRED FEE(S) AND MAP(S) PREPARED IN ACCORDANCE WITH THE APPLICABLE REGULATIONS.

2) THE SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE COMMISSION OR ITS STAFF TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.



**TOWN OF ESSEX**  
**Planning and**  
**Zoning Commission**

29 West Avenue  
Essex, CT 06426  
860-767-4340 x 115 Fax: 860-767-8509

Fees: \$135.00 + \$60.00 (DEEP)  
Make check payable to the Town of Essex

[www.essexct.gov](http://www.essexct.gov)

**Application for Site Plan Review**  
**PART TWO**

Owner(s) of Property : Marc D. & Elizabeth B. Schnitzer

Address): 10 Benson Road, Essex, CT 06426

Phone No.: 917-699-5800 Email: mschnitzer@r4cap.com


The Commission is authorized to grant a site plan approval for the use and/or improvement herein proposed by the provisions of Section 101J.1 of the Essex Zoning Regulations.

Accompanying this application form is:

- A) A complete and comprehensive statement describing the proposed changes in use and/or improvements for which the amendment is requested;
- B) A complete legal description of the premises involved, identifying boundaries by metes and bounds or by courses and distances;
- C) A list of names and addresses, with Tax Map and Tax Lot Numbers of owners of all land abutting, and directly across the street from the land to which this application relates and;
- D) A Site Development Plans prepared or approved by a registered professional engineer or surveyor showing all information required to determine the compliance with the Zoning Regulations including lot area, distances of improvements from lot lines, area coverage, and building height.

I/We, the undersigned, certify that all the information on this application, including all accompanying documents, is correct as of the date below, and conforms with Town's zoning regulations. I/ We certify that I/ We am/are the owner(s) of the premises described above, and are aware of and understand the above referenced zoning regulations.

<b>FOR OFFICIAL USE ONLY:</b>
Application No. <u>24-6</u>
Date received by ZEO: <u>3/25/24</u>

Signed:   
Property owner  
Dated: 03/23/24

## **Appendix A**

### **Application Checklist for Site Plan Review**

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This checklist is to be completed by the applicant(s) and submitted to the Commission along with a completed application for Site Plan Review. Information should also appear on the site development plan and within the support documents as appropriate. No section may be left incomplete. Where no area in the "waiver" category is provided for check-off, submission of information is always mandatory.

Waiver(s) may be granted by the Commission pursuant to Section 118A.3. for the furnishing of item(s) of information in which the Commission finds that such item(s) are not relevant to the proper disposition of an application. Such waiver(s) are limited to the furnishing of said information and do not include a request for delay in time to submit necessary items.

Nothing in this section shall prohibit an applicant(s) from requesting a waiver(s) in advance of submitting an application for Site Plan Review to the Commission.

This checklist shall be complete when signed and dated by the applicant(s) where such signatures and date shall be entered no later than the actual date of the submission of said application.

SECTION No.	DESCRIPTION	PROVIDED			WAIVER REQUEST
		YES	NO	N/A	
120A.1	Owner				
120A.2	Purchaser Owner's written consent				
120A.3	Lessee Owner's written consent				
120B	Application Documents- 15 copies				
120C.1	Description of Premises				
120C.2	List of Neighboring Owners				
120C.3	Statement of Use				
120C.4	Site Development Plan				
120C.4.a	Owner / Applicant Name				
120C.4.b	Plan Data				
120C.4.c	Roadways				
120C.4.d	Survey Monuments				
120C.4.e	Municipal / District Boundaries				
120C.4.f	Easements / R-O-W / etc.				
120C.4.g	Wetlands and Watercourses				
120C.4.h	Total Premise Area Use				
120C.4.i	Building / Lot Coverage				
120C.4.j	Location / Setback Data				
120C.4.k	Building / Structure Dimension Signs and Lighting				
120C.4.l	Roadways and Parking				
120C.4.m	Infrastructure Data				
120C.4.n	Access / Soil / etc.				
120C.4.o	Water Supply / Septic Systems				
120C.4.p	Land Contours / Topography ( _____ foot intervals)				
120C.4.q	Wetlands / Watercourses				
120C.4.r	Soils Classifications				
120C.4.s	Grading / Filling Limits / Erosion and Sediment Control				
120C.4.t	Special Flood Hazard Area				
120C.4.u	Floor Area / Parking Calculations / Parking Spaces per section .110				
120C.5	Sanitation Letter & Data (see note below)				
120C.6	Multiple Dwelling Projects				
120C.7	Non-Commercial Timber Cutting				
120C.8	Waiver Requests (written)				
120D	Maps, Drawings, Certification				
101	Gateway Conservation District				
102	Coastal Management District				
103	Flood Plain District				
104	Water Resource District				
	Application submitted to town Director of Health or Town Sanitarian for review				

**NOTE: A SIGN IS REQUIRED TO BE POSTED ON THE PREMISES RE: SECTION 118A.6. STANDARDS OF THE ZONING REGULATIONS AS FOLLOWS:**

**118C. TIME LIMITS.** The commission may, but is not required, to hold a public hearing on an application for site plan approval, and shall hold a public hearing only if it determines that the application is of considerable public interest. If no public hearing is held, the commission may, in its discretion, allow written or oral comment from interested parties at or prior to a meeting of the commission to consider the application. If a public hearing is conducted, legal notice thereof shall be provided as required by statute. Whether or not a public hearing is held on the application, the commission shall render its decision on such application within sixty-five days of receipt thereof, except that, the applicant may consent to one or more extensions of such period, provided the total period of any such extension or extensions shall not exceed sixty-five days or may withdraw such application.

If an application involves an activity regulated pursuant to Connecticut General Statutes Section 22a-36 to 22a-45, inclusive, (inland wetlands and watercourses) and the time for a decision by the commission established pursuant to this section would elapse prior to the thirty-fifth day after a decision by the inland wetlands agency, the time period for a decision shall be extended to thirty-five days after the decision of such agency, and the commission shall consider the decision of such agency. The provisions of this subsection shall not be construed to apply to any extension consented to by an applicant or petitioner.

**Not less than fifteen days prior to the commencement of the regular meeting or public hearing, the applicant shall post a notice of the hearing on the property involved. Said notice shall be in the form of a freestanding sign, facing each adjacent public street, placed no more than thirty feet (30') from the public right-of-way and shall be clearly legible from the public street. Said sign shall be produced of weather resistant material, shall be legibly lettered with a minimum letter size of two inches (2"). The sign shall not be greater than twelve square feet (12 sq. ft.).**

The sign shall contain the following text:

**\*Application pending on this property before the Planning and Zoning Commission for Site Plan approval for which a regular meeting is being held:**

Time:

Date:

Place: Town Hall, 29 West Avenue, Essex, CT 06426

For more information, call (860)767-4340 (or as said number is changed from time to time).

Said sign shall not be removed until after the public hearing has concluded. (August 1, 2007)

**Note:** If no required sanitary letter and data accompanies this application, a complete application shall be submitted to the Town Director of Health or the Town Sanitarian for review no later than the date of this completed application is received by the Commission. A letter from the Town Director of Health of the Town Sanitarian, along with a complete application, shall be filed in the office of the Town Clerk at least ten (10) days prior to the scheduled public hearing.

This checklist is a guide to assist the applicant(s). It does not relieve the applicant from the responsibility of being familiar with the Town of Essex Zoning Regulations and submitting a complete application.

Where the submission of information for a particular special exception application does not apply, the response in the 'provided' column may be checked off as "no" and such information shall not be required.

Signature of Property Owner



Date: 03/23/24

**Addendum**  
**10 Benson Lane, Essex, CT**

that certain piece or parcel of land together with all buildings and improvements thereon, in the Town of Essex, County of Middlesex, and State of Connecticut known as 8 Benson Lane and being further described as Assessors Map 70 Lot 3 on a certain map entitled, "Division of Property of Gregory M. Cook Benson Lane Essex Connecticut Scale 1" = 40' July 12, 1996 Rev. 3/12/97 (SNET) Robert E. Corrigan - Land Surveyors Essex Connecticut" which map is on file in the Essex Town Clerk's Office to which reference may be had. Said property being more particularly bounded and described as follows:

- NORTHERLY: by Benson Lane as shown on said map, Sixty-nine and eighty-one one-hundredths (69.81) feet;
- EASTERLY: by land now or formerly of Barbara C. Dwyer as shown on said map One Hundred Sixty-two and forty-seven one-hundredths (162.47) feet;
- NORTHERLY:  
AGAIN by land now or formerly of Barbara C. Dwyer as shown on said map Two Hundred Twenty-five and sixty-one one-hundredths (225.61) feet
- EASTERLY:  
AGAIN by Assessor's Map 70 Lot 6 as shown on said map One Hundred Forty-five and seven one-hundredths (145.07) feet;
- SOUTHERLY: by land now or formerly of Peter E. & Elizabeth Schellens and land now or formerly of Christopher Schellens, in part by each, in all, Three Hundred Twenty-nine and fifty-three one-hundredths (329.53) feet; and
- WESTERLY: by land now or formerly of Edward McManus, et al and land now or formerly of Robert Peterson, in part by each, in all Three Hundred Forty-one and seventy-two one-hundredths (341.72) feet.

Together with a right of way over Benson Lane from Middlesex Turnpike to Assessor's Map 70 Lot 3 as shown on the above referenced map as described in a quit claim deed from Carl E. Benson to Carl Harold Dahlstrom dated December 28, 1961 and recorded in Volume 45 at Page 93 of the Essex Land Records.

Abutters 100 feet from 10 Benson Lane, Essex, CT

REESER-WINSTEAD LLC  
PO BOX 361  
CENTERBROOK, CT 06409

SCHELLENS EUGENE CHRITOPHER TTEE &  
SCHELLENS KATHLEEN W TTEE  
95 SAYBROOK RD  
ESSEX, CT 06426

COMSTOCK HARWOOD B  
101 SAYBROOK RD  
ESSEX, CT 06426

SCHNITZER MARC D & ELIZABETH B  
8 BENSON LA  
ESSEX, CT 06426

HEHER MAUREEN D ET AL CO-TR  
C/O FRANK HALL  
ESSEX, CT 06426



**CLOUTIER & CASSELLA, LLC**  
ATTORNEYS AT LAW

Thomas A. Cloutier (1946-2011)  
Edward M. Cassella\*  
Thomas McLaughlin  
D. Jeanne Messick ^  
\*Also admitted in Massachusetts  
^ Of Counsel

ecassella@saybrooklaw.com  
tmclaughlin@saybrooklaw.com  
jeanne@saybrooklaw.com

March 25, 2024

Carey Duques  
Land Use Official  
Town of Essex  
29 West Avenue  
Essex, CT 06426

**Re: *Marc D. and Elizabeth B. Schnitzer***  
***10 Benson Lane, Essex, CT***

Dear Carey:

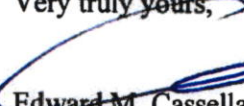
Enclosed please find Application for Site Plan Review together with Architectural Plans and Site Plan. Also enclosed are application fees in the amount of \$195.00.

We believe this is a site plan review under Section 101J.1. The current structure has 5,780 square feet of living area plus porches and garage. Under Section 101J, a structure with more than 4,000 square feet in total floor area may have a site plan in lieu of Special Permit because the proposed structure is substantially hidden from the river by the existing structure or other structures and does not add significantly to the visual profile of the existing structure even when seen from an angle.

The proposed 45 square foot addition is part of a reconfiguration of the eastern entryway on the north adjacent to the stone patio. It is a one-story addition that will not add any bulk to the existing structure as seen from the river.

We request to be on the agenda for the meeting on April 2, 2024.

Thank you for your consideration.

Very truly yours,  
  
Edward M. Cassella

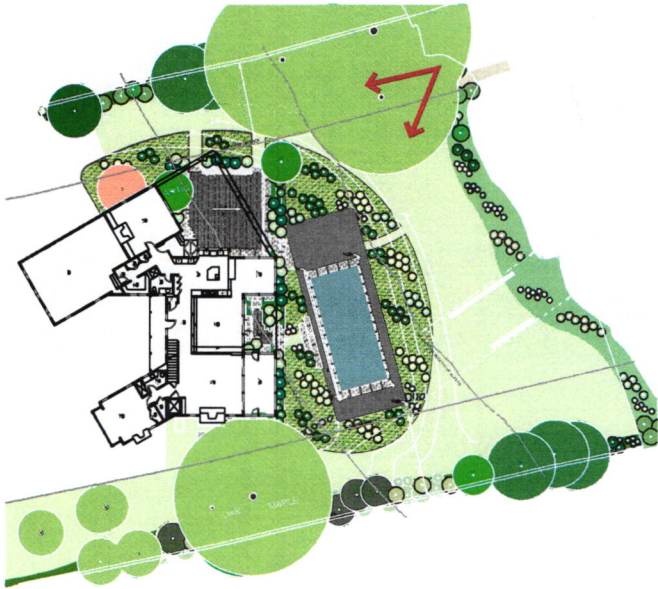
EMC/spp  
Enclosures  
N:\WINWORD\Land Use\Letters\Duques, Carey\Schnitzer, Marc D. & Eliz. B. - #537-23.doc

29 ELM STREET • OLD SAYBROOK, CT 06475 • 860-388-3456 • 860-388-6374 (FAX)

WWW.SAYBROOKLAW.COM



VIEWS FROM THE RIVER  
EXISTING EXTERIOR

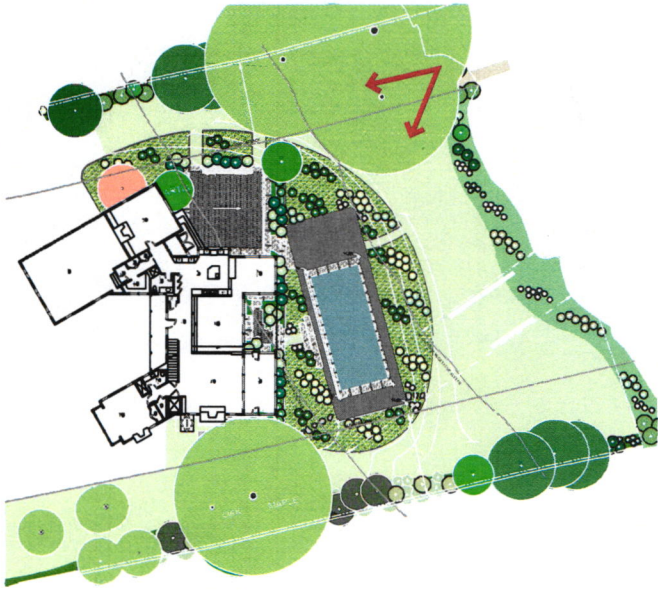


KEY PLAN

DAN FINK STUDIO

BENSON LANE DEVELOPMENT

VIEWS FROM THE RIVER  
PROPOSED EXTERIOR



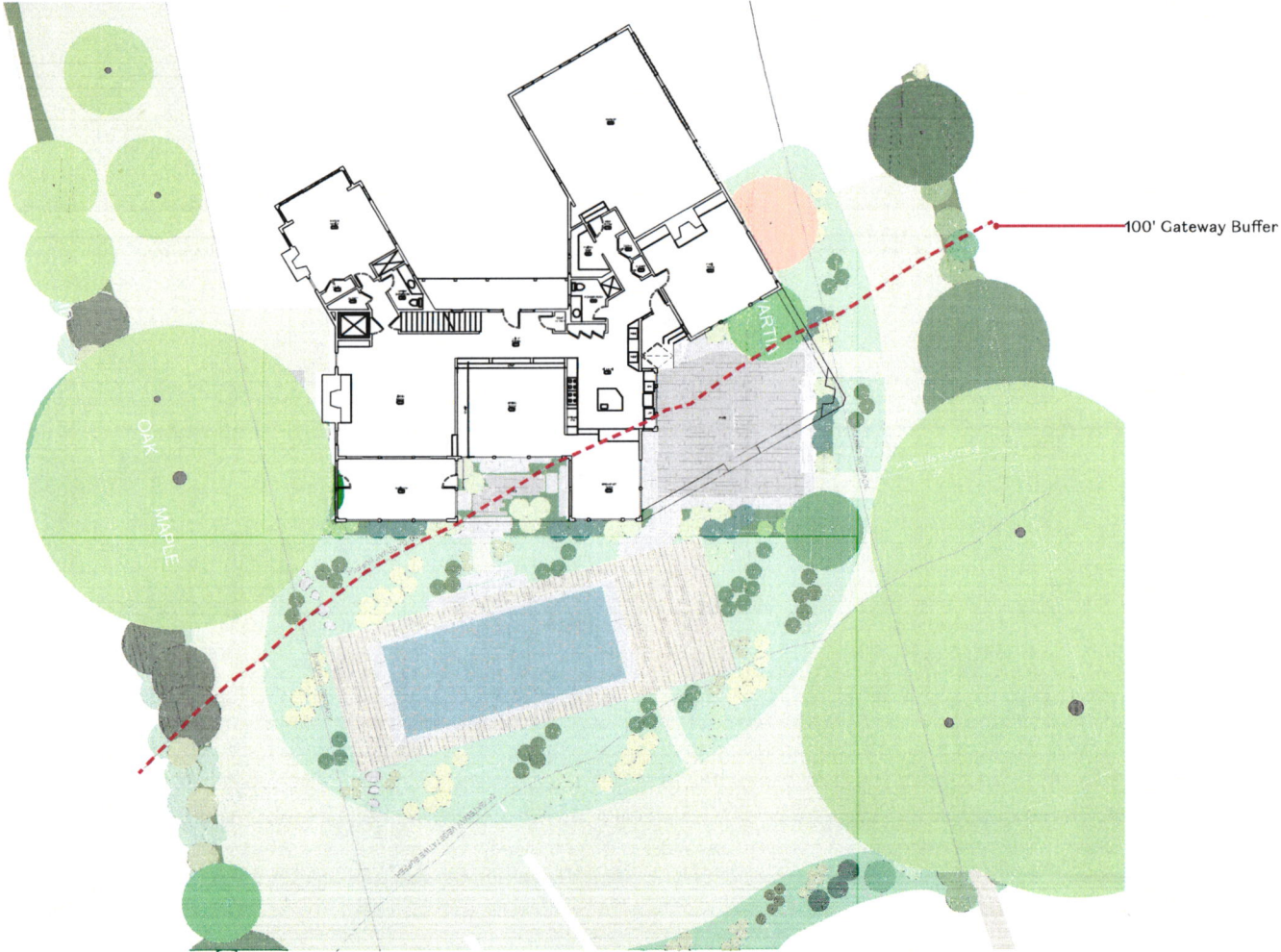
KEY PLAN



DAN FINK STUDIO

BENSON LANE DEVELOPMENT

GROUND FLOOR PLAN  
EXISTING



GROUND FLOOR PLAN  
PROPOSED

