

PROPOSED PERGOLA

SUPPORT AND DESCRIPTIVE DOCUMENTATION

For

Abutting Neighbors
&
ZONING BOARD OF APPEALS

RECEIVED
OCT 28 2022

BY:



BIRD'S EYE VIEW OF SCALE PROPERTY MODEL PORTION

Richard T. and JoAnn S. Langdon

The Jacob Latimer House

4 Cross Street

Essex, Connecticut 06426

E-MAIL: RTLARCHI1@AOL.COM

Phone: 860-767-8099

Cell: 860-581-0255

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LANGDON'S PROPOSAL TO BUILD A PERGOLA

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NEIGHBOR'S CONCERN (6 Pages) Added 10/20/2022)

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NOTE: (ATTACHMENTS SHOWN IN
REVISED SITE PLAN,
ADDITIONAL PHOTOS AND VIEW
DRAWINGS NOTED BELOW)

DRAWING - WHAT CAN SEE ABOVE FENCE (1 Page)

PERSPECTIVES FROM GALLUCCI PROPERTY

ADDITIONAL PHOTOS (3 Pages)



Town of Essex
Zoning Board of Appeals

29 West Avenue, Essex, CT 06426

RECEIVED
OCT 28 2022

Variance Application

Date received by office _____ Application fee - \$50 + State fee - \$60 = \$110 Pd.

Application # 22-15 BY _____ Hearing Date 11-22-2022

Premises: Street Address 4 CROSS STREET

Assessor's Map # 47 Lot # 109 Lot Area 8089 ac/SF

Zoning District Village Residential Deed Reference: Book 236 Page 0006-7

Owner of Property Richard T. and JoAnn S. Langdon

Address 4 Cross Street Essex CT 06426
Street Town State Zip

Telephone 860-581-0255 (cell) Email: rtlangdon@aol.com
home work

Applicant (if not owner) _____

Address _____
Street Town State Zip

Telephone _____ Email: _____
home work

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) SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S PERMISSION FOR THE BOARDOR ITS STAFF TO ENTER THE PROPERTY FOR THE PURPOSE OF INSPECTION.
3) SUBMITTAL OF THIS APPLICATION CONSTITUTES THE PROPERTY OWNER'S AGREEMENT TO PAY ALL ADDITIONAL FEES AND/OR ADDRESS SUCH COSTS DEEMED NECESSARY BY THE LAND USE OFFICE AS DESCRIBED IN PART THREE OF THIS APPLICATION.

Signature (Authorized Agent) Richard T. Langdon Date 10-26-2022

Current use of the property Residential Business Farm Other _____

Is any portion of property within 500' of another Town? Yes No

Is the property within the Gateway Conservation District? Yes No

If this application is for a variance(s) please complete the following sections:

1. Variance(s) requested of the Essex Zoning Regulations

Check those that apply and write in sections that variances are requested

Section No.	Allowed/Required per the regulations	Existing	Requested
<input type="checkbox"/> 40C	No buildings within the setbacks		See Attached
<input type="checkbox"/> 40D	No improvements except in conformity		See Attached
<input type="checkbox"/> 40E	No change in the use of any land or improvement, in the location of any improvement, or in the size or shape of any lot or improvement except in conformity with the zoning regs.		See Attached
60B	See Attached		

(Please attach supplemental sheets if space provided is insufficient)

Yes No

1a). Is a variance requested of Section 101E Gateway Buffer Area? If yes, the application shall be reviewed by the Essex Inland Wetlands and Watercourses Commission (per Section 140L) and a letter of referral shall be provided by the EIWWC prior to attending the ZBA meeting.

2. Variance is requested to allow (Please describe proposed use, dimensions, height and location of any new construction PLUS any changes to use, size, shape, bulk, footprint, floor area or height of existing structure)

See Attached

(Please attach supplemental sheets if space provided is insufficient)

3. Strict application of Essex Zoning Regulations would result in an unusual hardship because of the following characteristics of the property (Support topological hardship claims with photographs, survey, etc.)

a. Pls see Attached

b.

c.

4. The above hardship is unique to this parcel and not shared by other in the area because:

a. Particular shops, layout AND ALL THINGS THERE ON/IN
SEE ATTACHED

b.

c.

5. Described proposed reductions in legal pre-existing nonconformities, if any

a. NA

b.

c.

The requested variance(s) are in harmony with the purpose and intent of Essex Zoning Regulations because:

a. see attached

b. _____

c. _____

Have previous applications been made for this property? Yes No SEE ABOVE

If yes, previous application #s _____ Date _____
Prior variance request: _____ Variance Board Action _____

The following items must be included as part of this application:

- a. Fee of \$110.00 – Town Fee \$50 plus \$60 State Fee...payable to the Town of Essex
- b. 10 copies of the application, site plan (with setback lines) and sketch of the proposal.
- c. Copy of property deed
- d. Referral from Health Department
- N/A e. Referral from Essex IWWC (if applicable)
- N/A f. Referral from adjacent towns
- N/A g. Referral from Gateway Conservation Commission

Owner/Applicant Commitments

I (we) certify that the statements hereinabove made and the documents submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to allow Zoning Board of Appeals members access to the property for informal, independent site visits, for the purpose of evaluating this application prior to the Board rendering its decision.

Signature of applicant _____ Date: _____

Signature of property owner _____ Date: _____

Applicant must provide a current list of all names and addresses of abutting property owners.

NAME

ADDRESS

TOWN

ZIP CODE

See Attached

ABUTTING PROPERTY OWNERS

LANGDON'S PROPOSAL TO BUILD A PERGOLA

4 Cross Street (Corner of Cross And Pratt)

Essex, Connecticut 06426-1112

Thomas and Aurise Gallucci

22 Pratt Street

Essex, Connecticut 06426

Ms. Jacqueline L. Wolff

B & G Realty Co. Inc

12 Pratt Street

Essex, Connecticut 06426

Frank Masek

P.O. Box 74

Essex, Connecticut 06426

PREVIOUS APPLICATIONS MADE FOR THIS PROPERTY

ZBA #06-22 Denied for a second story addition. (*To Carriage House*)

ZBA #06-34 Approved for an addition (to Main House) included removal of shed (*Carriage House*) - (*Reduced nonconformity*)

ZBA #08-39 Denied for height variance for garage and conversion to an accessory apartment.

ZBA #15-23 Approved removal and replacement of an existing garage

PURPOSE AND INTENT – Essex Zoning Regulations

Page 1 of 3

10A. PURPOSES: GENERAL. *For the purpose of promoting the health, safety, morals, and general welfare of the community; for the purpose of lessening congestion in the streets; for the purpose of securing safety from fire, panic, flood, and other dangers; for the purpose of providing adequate light and air; for the purpose of preventing the overcrowding of land and avoiding undue concentration of population; for the purpose of facilitating adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; for the purpose of conserving the value of buildings and encouraging the most appropriate use of land throughout the Town; for the purpose of providing for the public health, comfort, and general welfare in living and working conditions; for the purpose of regulating and restricting the location of trades and industries and the location of buildings designed for such uses; for the purpose of regulating and limiting the heights and bulk of buildings; and for the other purposes specified in Chapter 124 of the 1958 Revision of the Connecticut General Statutes, the following zoning regulations for the Town of Essex are and have been adopted pursuant to the provisions of the statutes of the State of Connecticut.*

10B. PURPOSES: NONCONFORMITIES. *It is hereby declared that nonconforming uses, improvements and characteristics are incompatible with and detrimental to permitted uses, improvements and characteristics in the Districts in which they are located; they cause disruption of the comprehensive land use pattern of the Town; they inhibit present and future development of nearby properties; and they confer upon their owners and users a position of unfair advantage. It is a fundamental principle of zoning law that non-conformities are not to be expanded and that they should be abolished or reduced to conformity as quickly as the fair interests of the parties will permit. This principle is declared to be the intent of these regulations. It is the further intent of these regulations that existing non-conformities shall not cause further departures from these regulations and therefore the existence of any present nonconformity anywhere in the Town shall not in itself be considered grounds for the grant of a variance in respect of any other property.*

PURPOSE AND INTENT – Essex Zoning Regulations

Page 2 of 3

The requested variances are in harmony with the purpose and intent of Essex Zoning Regulations because:

This proposal does not challenge nor modify, nor change the purposes and criteria stated in **10A PURPOSE GENERAL** above.

This proposal, for a unique and totally nonconforming property that retains its character, is not, as stated in **10B PURPOSES: NONCONFORMITIES** above “ *incompatible with (NOR) detrimental to permitted uses, improvements and characteristics in the District in which (IT IS) located; (NOR) cause disruption of the comprehensive land use pattern of the Town;(It does not) inhibit present and future development of nearby properties; and (does not) confer upon(its) owners and users a position of unfair advantage.*

With this proposal, the applicant is not attempting to change the use nor change the existing village Residential (VR) Zone. The applicant merely wishes to add a pergola, which is in keeping with the history of multiple structures on older properties, though this inclusion is an open structure as opposed to a traditional roofed structure. The proposed structure is also being kept to a modest height so as not to impose upon neighbors and is placed to one side of the property thus maintaining street the historic elevations on Cross and Pratt streets.

The location of this structure will be placed so that the side nearest the property line will align with the side of the house thus not increasing the nonconformity. (see photo).

PURPOSE AND INTENT – Essex Zoning Regulations

Page 3 of 3



**FENCE AT 4 CROSS STREET DEMONSTRATING EXISTING NONCONFORMING SETBACK
NOTE: PERGOLA COLUMNS WILL ALIGN WITH END OF HOUSE THUS NOT INCREASING
NONCONFORMITY**

Essex Health Department

29 West Avenue, Essex CT 06426

B100a – Plan Review Application

Additions/Renovations	Change in Use	New Construction
✓ Accessory Structures, Pools	Irrigation System	Lot Line Change
Subdivision/Preliminary Septic Review	Sewage Disposal Area Preservation	

Street Location **4 CROSS ST** Map **47** Lot **109 0~568**

Property Owner Name **LANGDON RICHARD T & JOANN S** Phone _____

Mailing Address **4 CROSS ST ESSEX, CT 06426** Email _____

Applicant Name - **SAME -** Phone **860-581-0255**

Mailing Address _____ Email **RTLARCHI1@AOL.COM**

License # (if applicable) _____ Lic. Exp. Date _____

I hereby request Health Department approval of a plan to: (check all that apply)

Build an addition or renovate an existing building. This addition or renovation will:

Increase the number of bedrooms from _____ to _____ Increase lot coverage by _____ sq.ft.
Increase habitable space in the existing structure by _____ sq.ft. Winterize a seasonal building
Increase the number of employees from _____ to _____
Change the use of an existing building from _____ to _____
Increase water usage due to: _____

✓ **Construct** or **Increase the size of an accessory structure:** Per CT PHC Sec. 19-13-B100a, accessory structures are non-habitable structures which are NOT served by a water supply and the use is incidental to residential or non-residential buildings.

Garage _____ sq. ft.	Open Deck/Porch _____ sq. ft.	In-ground pool
Shed/Gazebo _____ sq. ft.	Three-season/Sun Room _____ sq. ft.	Above-ground pool
Barn _____ sq. ft.	✓ Other accessory building type: PERGOLA	& 180 sq. ft.

Modify lot line(s) on property (property survey must be submitted)

✓ **Preliminary Review of Septic System**

Existing lot: ✓ with septic without septic (vacant land) Create subdivision with _____ (# of lots)

Provide a brief description of the project:

PERGOLA 192" X 135" X 100"

The following information must be provided with this application: (check attached documents)

✓ Site plan layout showing the property lines, all existing structures, proposed addition/modification, size and location of the existing septic system (tank & leach fields) and well or public water line.

✓ Existing septic layout (As-Built) No septic records available ✓ Soil test data (if available)

✓ Current septic pump-out report Date of pump-out: **08/06/2022** Pumper Name: **MONOFLO**

Essex Health Department

29 West Avenue, Essex CT 06426

Health Dept. Review & Approval of B100a Plan

FOR OFFICE USE ONLY

Street Location **4 CROSS ST**

Map **47**

Lot **109 0-568**

Preliminary Review of New Construction or Subdivision: Yes No Plan Date: _____

Existing Septic System Information:

Lot Size: **.19 Acre** AS-BUILT on file? Yes No N/A
Installation Date: **12/19/2014** Installer: **Tom Maynard** License #: **3787**
Septic Design Size: **3 bedrooms** Tank Size: **1,250** S.F. Provided: **733**
Leaching system (describe): **28 LF of GST 6236** S.F. Required: **495**

NOTES:

B100a Septic System Requirements

Does the septic system meet B100a requirements? Yes No
Has a Code Complying Area been determined? Yes No
If NO, has a repair area been determined? Yes No
Is a repair/modification required? Yes No

Irrigation System N/A

Do irrigation lines meet separation distance requirements? Yes No

Soil Test:

Date of soil test: **08/17/2006** Perc Test Result: **1.5** min/inch
Is additional soil test needed? Yes No MLSS: **N/A**
Testing used from another property located at:

Is the parcel in a **Water Resource District**? Yes (refer to zoning regs Section 104E.5) No
Is a Nitrate and Coliform Analysis Required? No

Not Approved: Proposal must be re-submitted with a plan showing potential area for septic system that meets all requirements of the CT PHC Section 19-13-B100a. Please contact the Health Department.

Approved with the following modifications of the existing septic system:

Preliminary approval for septic design (new construction)

Approved with no modification of the existing septic system

Signature: *D. H. Mitchell*
Director of Health, Registered Sanitarian or Authorized Agent

Date: **10/19/2022**

Application # **22-64BHA**

Date **10/13/2022**

Fee Paid (check #) **35.00**

Town of Essex Health Department
29 West Avenue
Essex, CT 06426

Phone: 860.767.4340 x 118
Fax: 860.767.2019
Email: lfasulo@essexct.gov

Health Department Memo

To: 4 Cross St., Essex Property File Map: 47 Lot:
109
From: Lisa Fasulo, Director of Health
Cc: Jessica Sypher, Assessor
Date: October 27, 2022
Re: Primary Home and Residential Outbuilding

The purpose of this memorandum is to document the attributes of the existing structures on this parcel as they pertain to the CT Public Health Code Onsite Sewage Disposal Regulations and Technical Standards for Subsurface Sewage Disposal Systems revised in January 2015 and January 2018.

- The existing primary home is documented to have 3-bedrooms total
- The residential outbuilding (aka Carriage house) is documented to have a 2-car garage with 1 bedroom, 1 full bathroom, and 2nd floor storage area. The basement is for utilities and storage only. This structure does not have the following: kitchen, dishwasher or clothes washing machine. (as documented by Essex Health Dept & the homeowner during a walkthrough of the structure on 10-26-2022)

The existing attributes are the basis for the installed septic system's design and required effective leaching area for single-family rather than multi-family structures.

The existing septic system was installed in 2016 and consists of a 1250-gallon septic tank and a 28 linear foot row of GST6236 leaching structure which provides 26.2 SF/LF of effective leaching area. This equates to 733.6 sf of Effective Leaching Area. MLSS is not applicable. The wastewater design flow is 660 gpd. The septic system serves both buildings and a Central Sewage Exception was granted by CT Dept of Public Health on Sept. 26, 2016.

Approvals in 2016 from both CT DPH and Local Health Dept stipulate that the residential outbuilding shall not have a kitchen, cooking facilities, dishwasher or washing machine, and that the primary home shall not have more than 3 bedrooms.

No increase in number of bedrooms is permitted in the primary home without first obtaining approval from the Essex Health Dept. Similarly, the residential outbuilding shall not be converted to a residential dwelling without first obtaining approval from the Essex Health Dept.

The Jacob Latimer House
4 Cross Street
Essex, Connecticut 06426
E-mail: Rtlarchi1@aol.com
Cell: 860-581-0255

October 12, 2022

Thomas and Aurise Gallucci
22 Pratt Street
Essex, Connecticut 06426

Re: Proposed Pergola

Dear Thomas and Aurise,

This letter is to let you know that we are proposing to build a pergola (87" d x 144" w column Centers x 100" tall and will be making application to go before the ZBA to request necessary variances.

We have attached demonstrative drawings and a fact sheet, so that you can see our intentions, and hope that you will support our plan.

If you have any questions or concerns about this proposal, please let us know. If you support this proposal. Please let us know that also.

Thank you very much.

Kind Regards,

Richard T. and JoAnn S. Langdon

Richard T. and JoAnn S. Langdon

Cc Carey Duques
Lisa Fasulo
David DeLeeuw

The Jacob Latimer House
4 Cross Street
Essex, Connecticut 06426
E-mail: Rtlarchi1@aol.com
Cell: 860-581-0255

October 12, 2022

Ms. Jacqueline L. Wolff
B & G Realty Co. Inc
12 Pratt Street
Essex, Connecticut 06426

Subject: Proposed Pergola

Dear Ms. Wolff,

This letter is to let you know that we are proposing to build a pergola (87" d x 144" w column Centers x 100" tall and will be making application to go before the ZBA to request necessary variances.

We have attached demonstrative drawings and a fact sheet, so that you can see our intentions, and hope that you will support our plan.

If you have any questions or concerns about this proposal, please let us know. If you support this proposal. Please let us know that also.

Thank you very much.

Kind Regards,

Richard T. and JoAnn S. Langdon

Richard T. and JoAnn S. Langdon

Cc Carey Duques
Lisa Fasulo
David DeLeeuw

The Jacob Latimer House
4 Cross Street
Essex, Connecticut 06426
E-mail: Rtlarchi1@aol.com
Cell: 860-581-0255

October 12, 2022

Frank Masek
P.O. Box 74
Essex, Connecticut 06426

Re: Proposed Pergola

Dear Frank,

This letter is to let you know that we are proposing to build a pergola (87" d x 144" w column Centers x 100" tall and will be making application to go before the ZBA to request necessary variances.

We have attached demonstrative drawings and a fact sheet, so that you can see our intentions, and hope that you will support our plan.

If you have any questions or concerns about this proposal, please let us know. If you support this proposal. Please let us know that also.

Thank you very much.

Kind Regards,

Richard T. and JoAnn S. Langdon

Richard T. and JoAnn S. Langdon

Cc Carey Duques
Lisa Fasulo
David DeLeeuw



**NARRATIVE
INTRODUCTION
PERGOLA PROPOSAL**

4 CROSS STREET, VILLAGE OF ESSEX

PAGE 1 OF 5

PROPOSAL

WE ARE PRESENTLY SEEKING TO BUILD A PERGOLA, AS ILLUSTRATED IN THE DRAWINGS AND BY THE SCALE MODEL ACCOMPANIED BY PHOTOS OF THE PROPERTY.

THE PERGOLA WILL BE USED TO SURROUND AN EXISTING GAS GRILLE

THE OWNERS SUBMIT;

SURVEY
MODEL
PERGOLA DRAWINGS
PHOTOGRAPHS
MISCELLANEOUS DATA

THE OWNERS PROPOSED TO BUILD A PERGOLA, CENTERED UPON AN EXISTING PAVED DESIGN, THE PERGOLA OF WHICH IS A TOTAL OF 192 INCHES LONG BY 135 INCHES WIDE BY 100 INCHES HIGH (TOTAL 180 SQ. FT.) TO BE PLACED SO THAT THE SIDE OF THE COLUMN NEAREST THE PROPERTY LINE WILL BE 32 1/2 INCHES FROM THAT PROPERTY LINE. THIS RESULTS IN THE ENDS OF THE PURLINS AT 8 1/2 INCHES FROM THE PROPERTY LINE, APPROXIMATELY 13 INCHES ABOVE THE EXISTING FENCE AND 9 INCHES ABOVE THE FENCE POSTS.

IT SHOULD BE NOTED THAT THE COLUMNS, THE LARGEST MEMBERS OF THE STRUCTURE AND WHICH DEFINE ITS LOCATION, BEING 32 1/2 INCHES FROM THE PROPERTY LINE EXCEED THE 29 INCH DISTANCE BETWEEN THE MAIN HOUSE AND THE EXISTING FENCE.

NARRATIVE ZONING REGULATIONS FOR VARIANCE PERGOLA PROPOSAL

4 CROSS STREET, VILLAGE OF ESSEX

PAGE 2 OF 5

OWNERS ARE APPLYING FOR VARIANCES TO

40 C BUILDINGS. No building shall be so built or placed in any location as to leave less than the prescribed space of the setbacks required for it in these Regulations. No building shall be greater in height than that prescribed in these Regulations.

40 D IMPROVEMENTS . No improvement shall be made except in conformity with these Regulations

40 E CHANGES. No change shall be made in the use of any land or improvement, in the location of any improvement, or in the size or shape of any lot or improvement except in conformity with these Regulations.

60 B REQUIRED CHARACTERISTICS - DISTRICT VR The lot and the building involved in any general or special use in a Village Residence District shall conform to the following characteristics:

DISTRICT VR Minimum Lot Area 60,000 square feet

Minimum Lot Width 120 feet

Minimum Lot Area Per Family Dwelling Unit 60,000 square feet

Front Setback 30 feet Side Setback 25 feet Rear Setback 30 feet Maximum Building Coverage 10%

Maximum Building Height 35 feet

Each lot shall contain a contiguous building site of at least 25,000 sq. ft. of buildable land. None of the required characteristics prescribed in this Section 60B, other than maximum building height, shall apply in the case of a public or private library.

“Buildable Land” shall mean all land that is not inland or tidal wetlands or watercourses as defined in Sections 22a-29 and 22a-38 C.G.S. or slopes with an incline of 20% or greater.

NARRATIVE PROPERTY BACKGROUND PERGOLA PROPOSAL

4 CROSS STREET, VILLAGE OF ESSEX

PAGE 3 OF 5

BACKGROUND

THE PROPERTY IS LOCATED IN THE VILLAGE RESIDENTIAL DISTRICT ABUTTING THE VILLAGE DISTRICT – MAIN STREET SHOPS AND RENTALS AT THE CORNER OF PRATT AND CROSS STREETS.

AFTER DISCOVERING THAT THE PROPERTY HAD HALF A SEPTIC SYSTEM, THOUGH REPRESENTED AS “NEW SEPTIC SYSTEM”, WHEN PURCHASED IN 2004, THE PRESENT OWNERS WENT THROUGH THE EXPENSE OF DESIGNING AND INSTALLING A COMPLETELY NEW SEPTIC SYSTEM, WHICH FURTHER LIMITED CERTAIN USES OF THE PROPERTY.

GIVEN THE NON- CONFORMING NATURE OF THE PROPERTY, MINOR ADDITIONS AND ALTERATIONS TO THE MAIN HOUSE WERE APPROVED BASED UPON REDUCING THE SIZE OF THE EXISTING CARRIAGE HOUSE (ELIMINATING A GARDEN SHED) BY 242 SQ FT NEARLY ABUTTING THE PROPERTY LINE, TO IMPROVE THE NON-CONFORMITY OF THE PROPERTY. THE OWNERS SACRIFICED THIS SPACE TO GAIN A SMALL EATING SPACE IN THE KITCHEN AND A SMALL ADDITION TO AN EXISTING PORCH.

THE RELACEMENT OF THE CARRIAGE HOUSE, MAINTAINED THE ORIGINAL PROPORTIONS TO APPEASE NEIGHBOR’S CONCERNS. AND WAS TOTALLY REBUILT WITHIN ITS EXISTING SHELL PERAMETERS, AND ALSO MOVED SLIGHTLY AWAY FROM THE PROPERTY LINE THUS FURTHER REDUCING NON-CONFORMITY.

NARRATIVE HARDSHIPS PART ONE PERGOLA PROPOSAL

4 CROSS STREET, VILLAGE OF ESSEX
PAGE 4 OF 5

HARDSHIPS - PRE-EXISTING PROPERTY

- THE PROPERTY IS A CORNER LOT
- DWELLING, CARRIAGE HOUSE AND PROPERTY EXISTED BEFORE ANY ZONING
- NOTHING – EXCEPT HEIGHT --ON THE PROPERTY CONFORMS WITH PRESENT ZONING REGULATIONS
- ALL EXISTING STRUCTURES LIE WITHIN THE IMPOSED SETBACKS
- THE LOT DOES NOT MEET IMPOSED ZONING

<u>REGULATION</u>	<u>REQUIRED</u>	<u>EXISTING</u>	<u>PROPOSED</u>
○ Area:	60,000SF	8,089 SF	
○ Minimum Lot Width	120 feet	60.9 feet	
○ Minimum Front Setback	30 feet	11 feet	
○ Minimum Side Setback	25 feet	10.9 ft/3.3 ft	8 ½ INCHES
○ Minimum Real setback	30 feet	3.46 feet	
○ Maximum Building coverage	10%	26.2 %	28%
○ Maximum building height	35 feet	approx 27.5 feet	

- PRESENT ZONING REGULATIONS SET BACKS LEAVE A MERE BUILDABLE STRIP AREA 9'-6" X 68'-6" IN THE MIDDLE OF THE PROPERTY – SEE SURVEY.
- THERE IS NO CONFORMING NOR ALTERNATE NON - CONFORMING LOCATION ON THE PROPERTY TO PLACE A PERGOLA
 - EXISTING STRUCTURES, SEPTIC TANK, LEACHING FIELD. BURIED UTILITIES, BURIED PROPANE TANK, DRIVEWAY, WALKS AND LANDSCAPING PRECLUDE ANY OTHER OPTIONS
- As a totally nonconforming property, there presently exists no remedy to reduce that non conformity without structural demolition.

-----Original Message-----

From: Joseph Budrow <JBudrow@EssexCT.gov>

To: Dave DeLeeuw <ddeleeuw@EssexCT.gov>; 'rtlarchi1@aol.com' <rtlarchi1@aol.com>

Cc: Darcy Roper <droper@EssexCT.gov>; Lisa Fasulo <LFasulo@EssexCT.gov>

Sent: Fri, Sep 25, 2020 9:47 am

Subject: RE: Questions

Hello Richard,

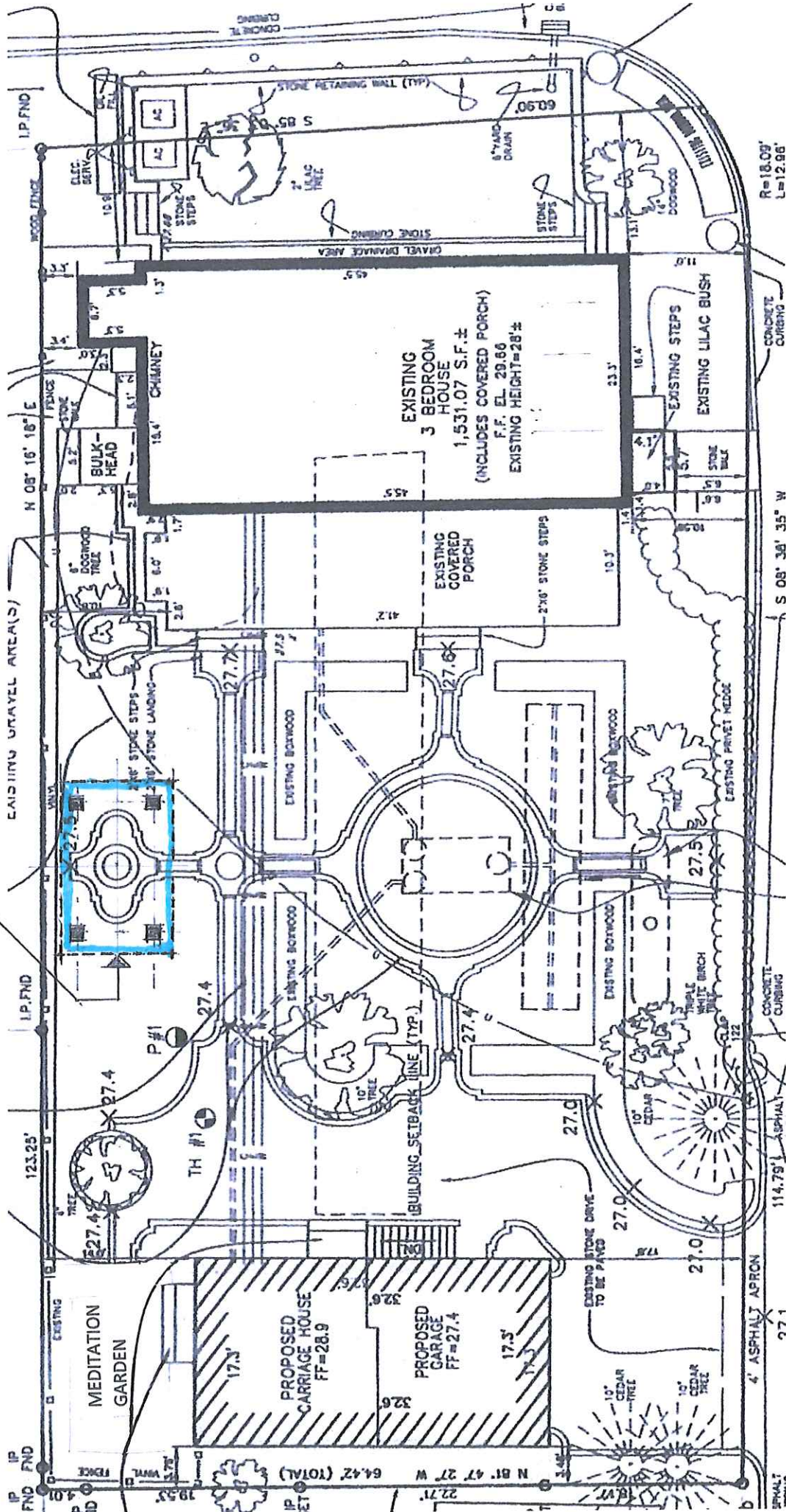
There are accessory improvements that do not require zoning.

A standalone hot tub does not require zoning approval. If it was proposed on a platform OVER 8 feet in height then it would, as it is then defined as a "building" and would have to adhere to all building setbacks.

A pergola does not require a zoning approval UNLESS it is over 8 feet in height. Then it is a "building" and must adhere to building setbacks. If you keep it UNDER 8 feet then no zoning permit is required.

Joe Budrow

**PROPOSED
PERGOLA**



SCALE @ APPROX 1/2" = 1'-0"

Project
Freestanding Fiberglass Arbor

Title
 Proposal # **REVISION 2**

Plan View

Client
 Submittal Type
Richard Langdon Conceptual

SHEET 2/3 SCALE 1:10 WEIGHT

DRAWN Michael Hurlburt DATE 10/25/21

CHECKED DATE

APPROVED DATE

Project Address
 4 Cross Street
 Essex, CT 06426

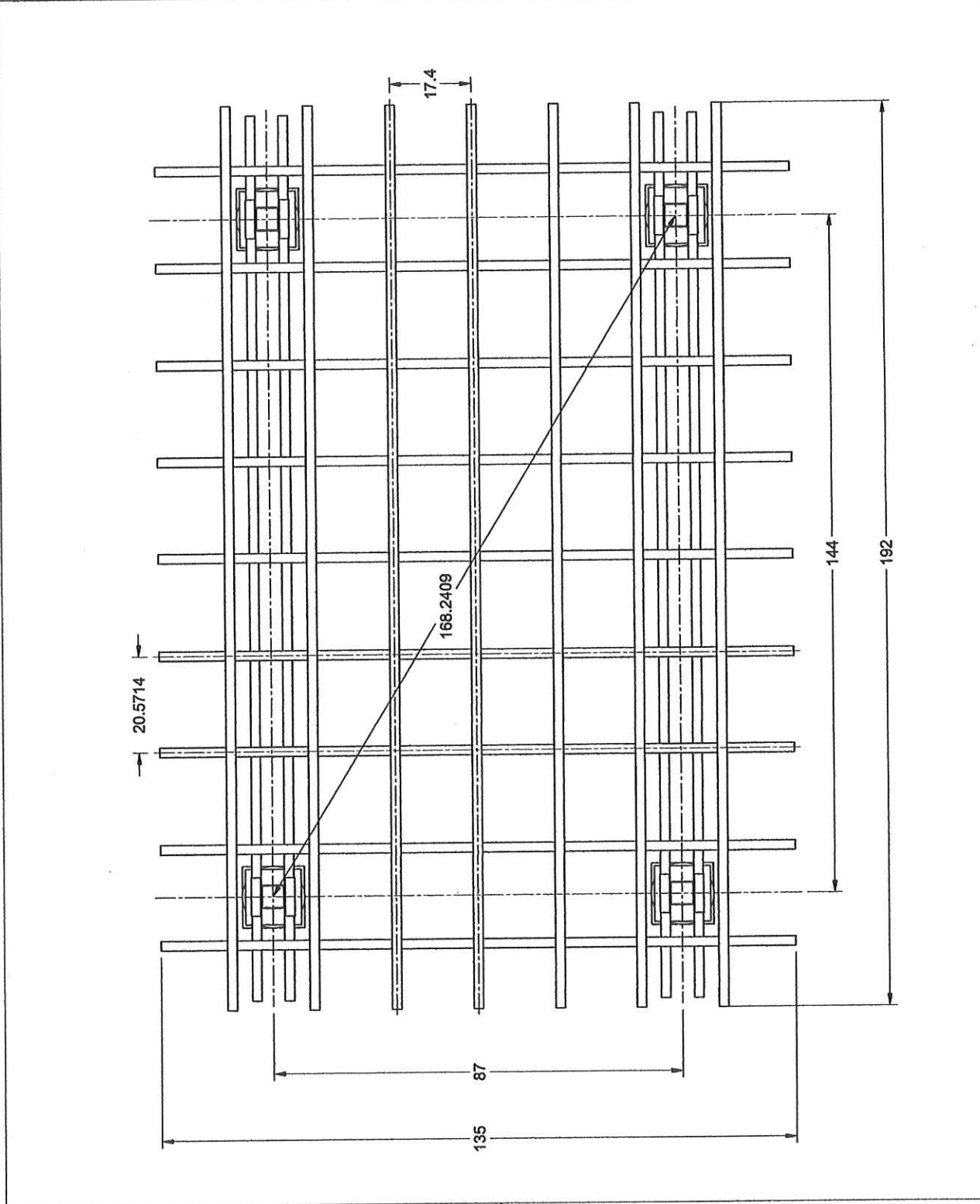
IMPORTANT: All information contained herein is proprietary, confidential and the sole property of Baldwin Lawn Furniture, LLC. Any and all drawings, specifications and other design data are to remain confidential and ARE NOT to be used, copied, reproduced, or otherwise disseminated without the written consent of Baldwin Lawn Furniture, LLC. Copyright Baldwin Lawn Furniture, LLC 2020.

CONFIRMATIONS: It is the responsibility of the purchaser to confirm and verify all dimensions and specifications as outlined in this drawing, within specifications and proposals.

BALDWIN PERGOLAS
 440 Middlefield Street
 Middletown, CT 06457
 (800) 344-5103
 www.BaldwinPergolas.com

NOTES:

REV	M/D/Y	COMMENTS
1	10/25/21	INITIAL/CONCEPTUAL
2		
3		
4		
5		



Project
Freestanding Fiberglass Arbor
 Title
Elevations View Proposal # **REVISION 2**
 Client
Richard Langdon Conceptual Submittal Type
Richard Langdon Conceptual
 SHEET 3/3 SCALE 1:16 | WEIGHT DATE 10/25/21
 DRAWN Michael Huriburt DATE DATE
 CHECKED DATE DATE
 APPROVED DATE DATE
 Project Address
4 Cross Street
Essex, CT 06426

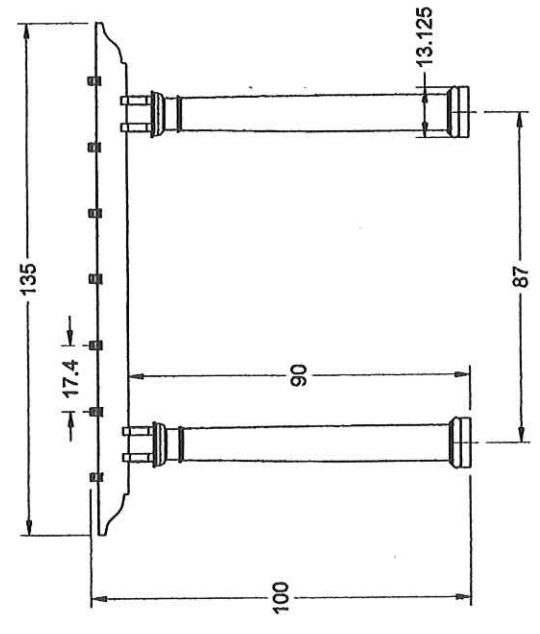
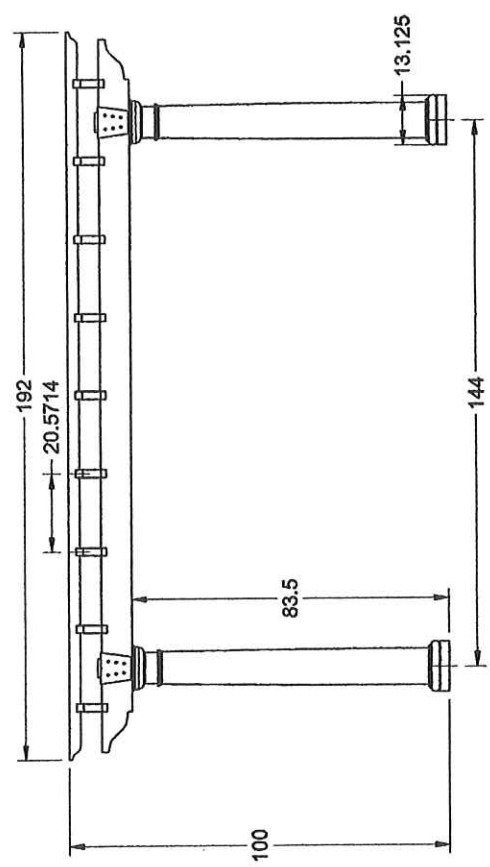
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CONFIRMATIONS: It is the responsibility of the purchaser to confirm and verify all dimensions and specifications as outlined in this drawing, within specifications and proposals.

BALDWIN PERGOLAS
 440 Middlefield Street
 Middletown, CT 06457
 (800) 344-5103
 www.BaldwinPergolas.com

NOTES:

REV	M/D/Y	COMMENTS
1	10/25/21	INITIAL/CONCEPTUAL
2		
3		
4		
5		



Project
Freestanding Fiberglass Arbor

Title
ISO

Proposal #
2

REVISION

Client
Richard Langdon Conceptual

Submittal Type
CONCEPTUAL

SHEET 1/3

SCALE 1:6

WEIGHT

DRAWN Michael Hurlburt

DATE 10/25/21

CHECKED

DATE

APPROVED

DATE

Project Address

4 Cross Street
 Essex, CT 06426

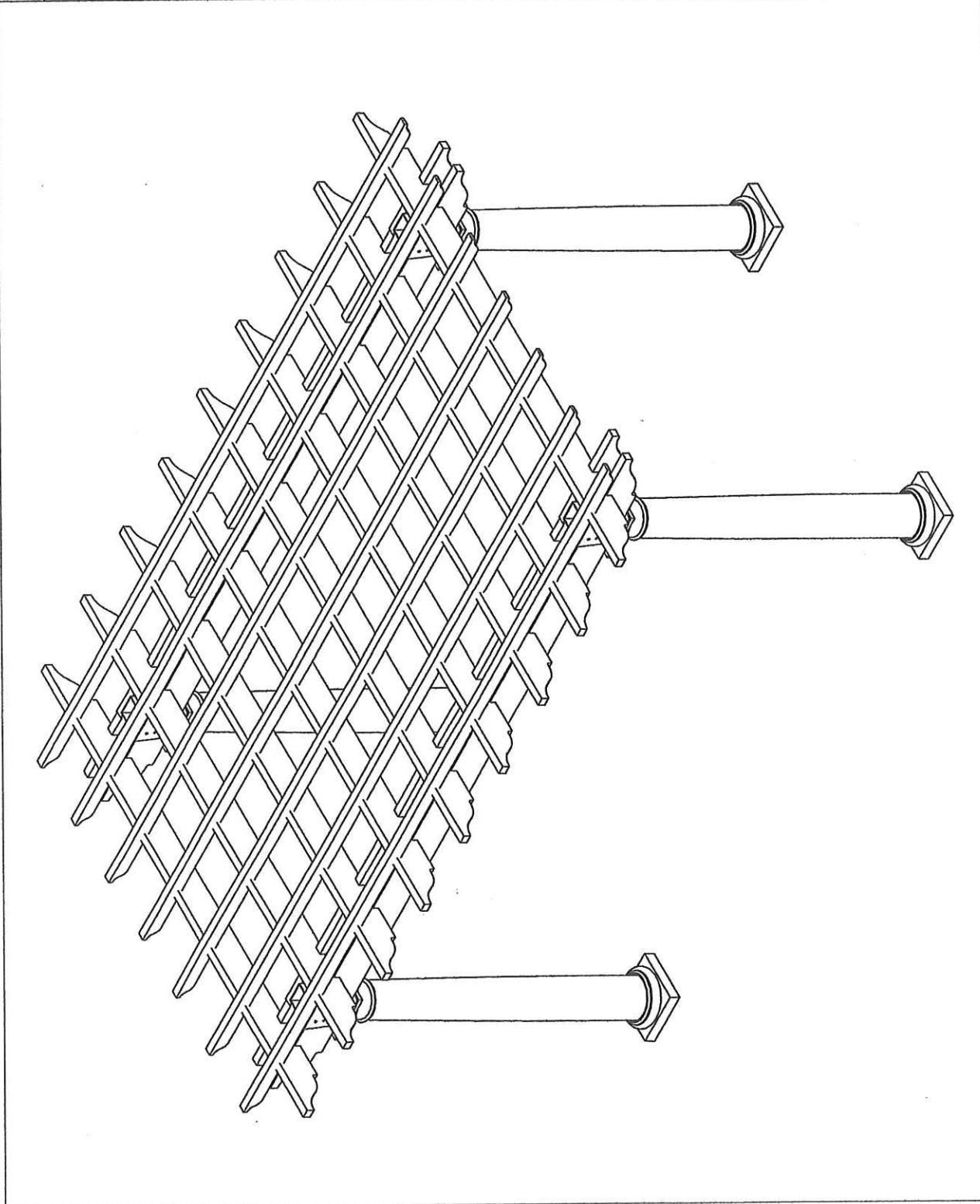
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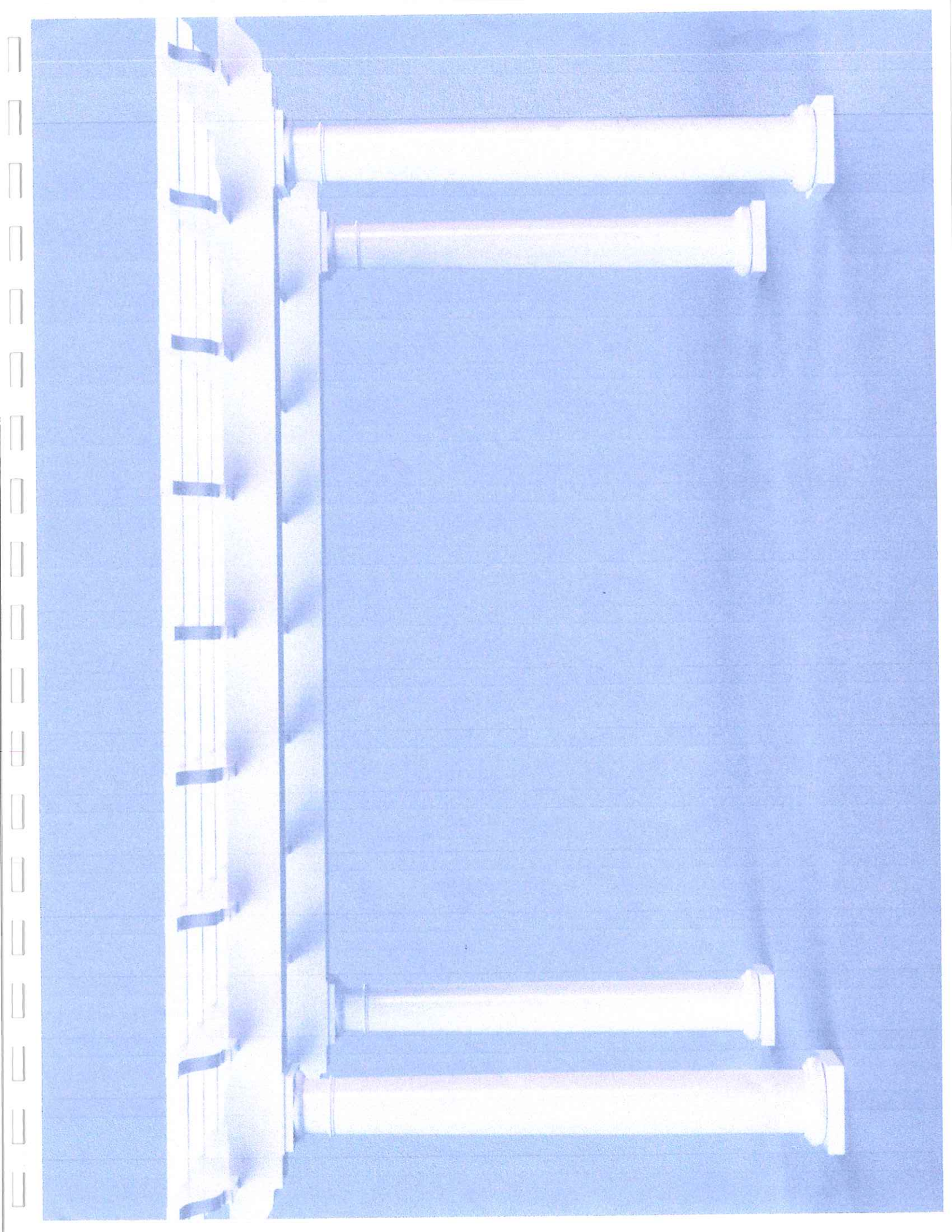
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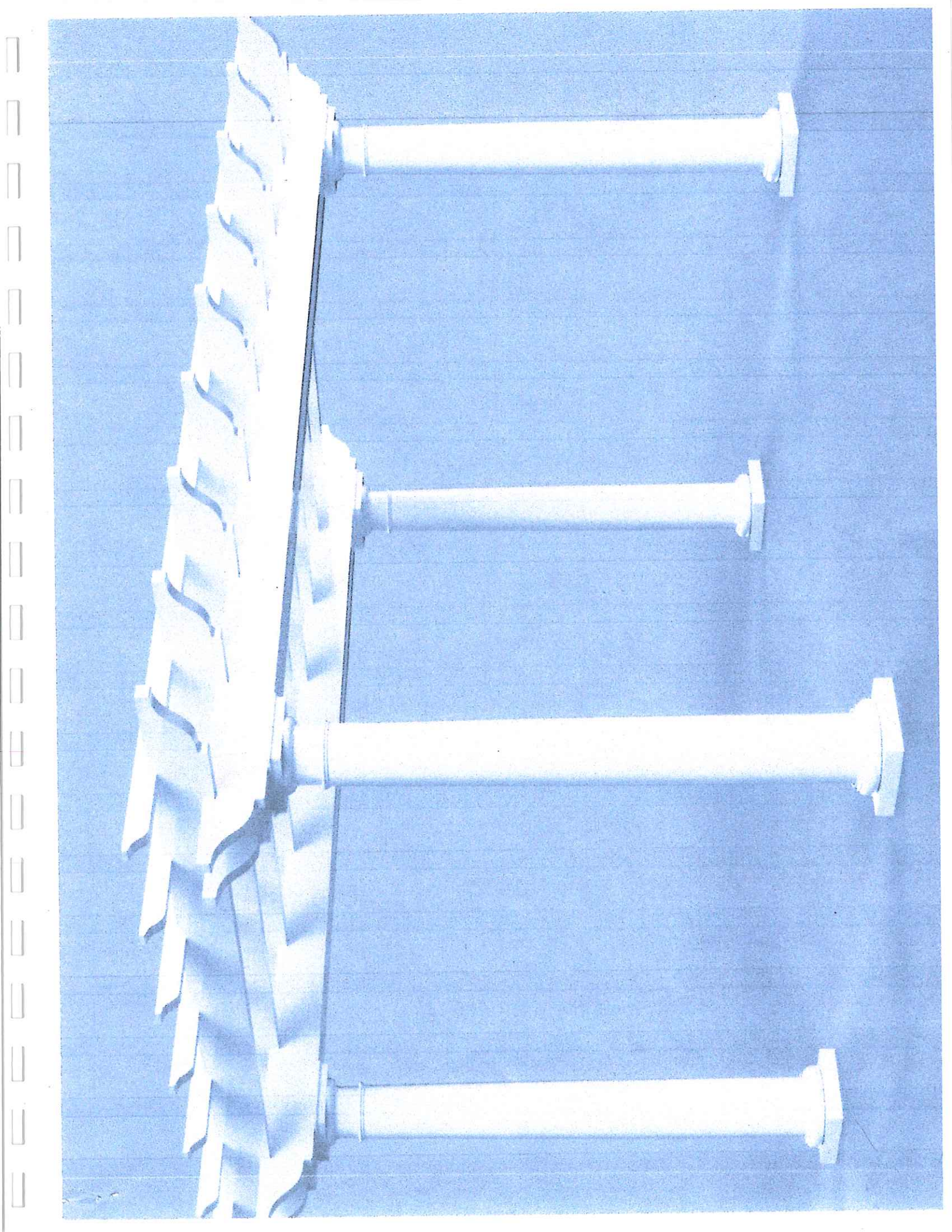
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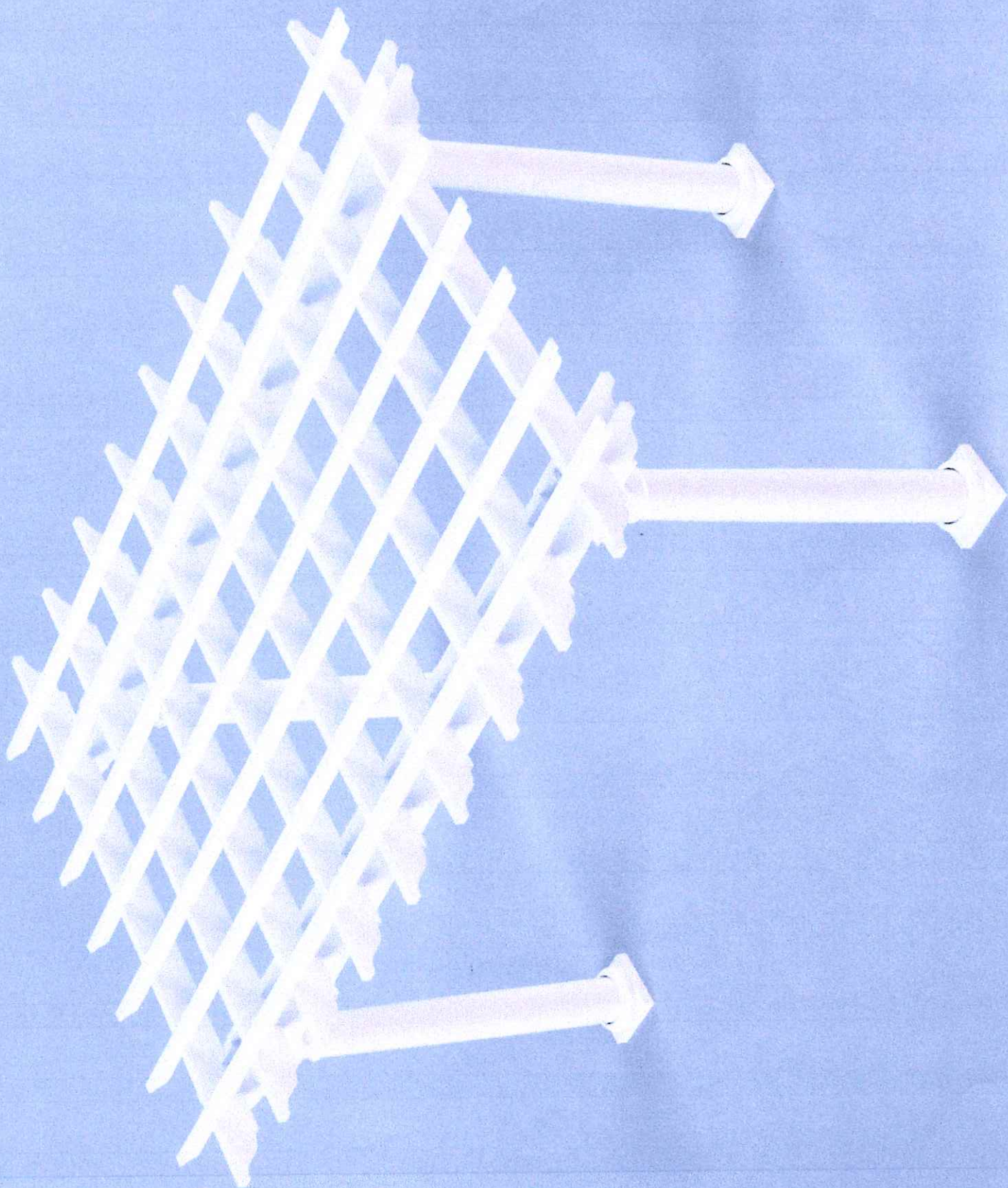
NOTES:

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1	10/25/21	INITIAL/CONCEPTUAL
2		
3		
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5		









LANGDON'S PROPOSED PERGOLA PHOTOS

PAAGE 1 OF 10



LOOKING AT MAIN HOUSE FROM DRIVEWAY



LOOKING ACROSS BACK YARD FROM CROSS STREET

LANGDON'S PROPOSED PERGOLA PHOTOS

PAAGE 2 OF 10



LOOKING WEST FROM CROSS STREET



PARTIAL BACK YARD FROM ROOF HATCH

LANGDON'S PROPOSED PERGOLA PHOTOS

PAAGE 3 OF 10



PARTIAL BACK YARD FROM ROOF HATCH (NOTE GRILLE IN PLACE)



PERGOLA FOUNDATION HOLES (COVERWED)

LANGDON'S PROPOSED PERGOLA PHOTOS

PAAGE 4 OF 10



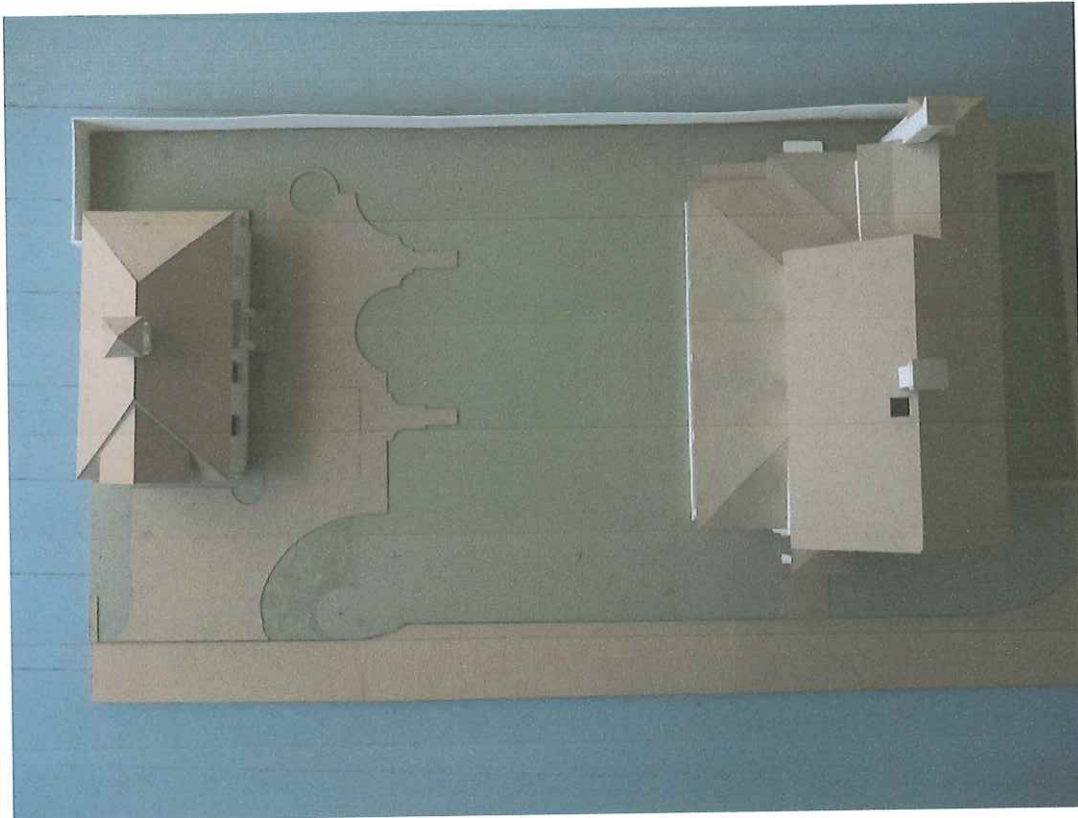
PERGOLA FOUNIDATION HOLES (COVERWED)



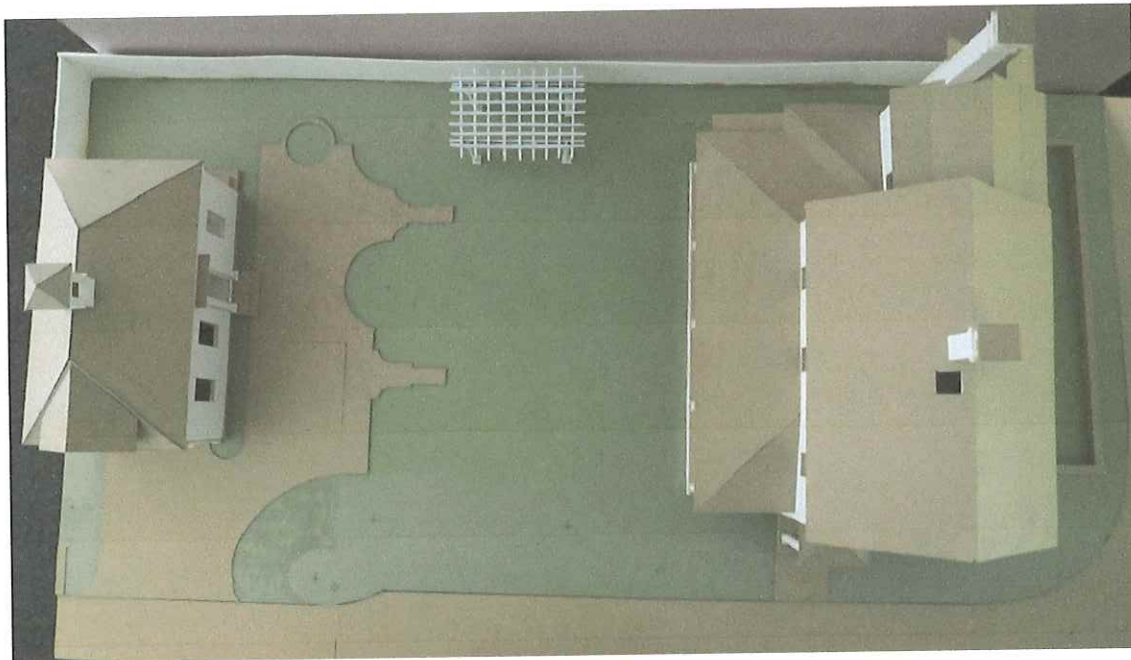
PERGOLA FOUNIDATION HOLES (COVERWED)

LANGDON'S PROPOSED PERGOLA PHOTOS

PAAGE 5 OF 10



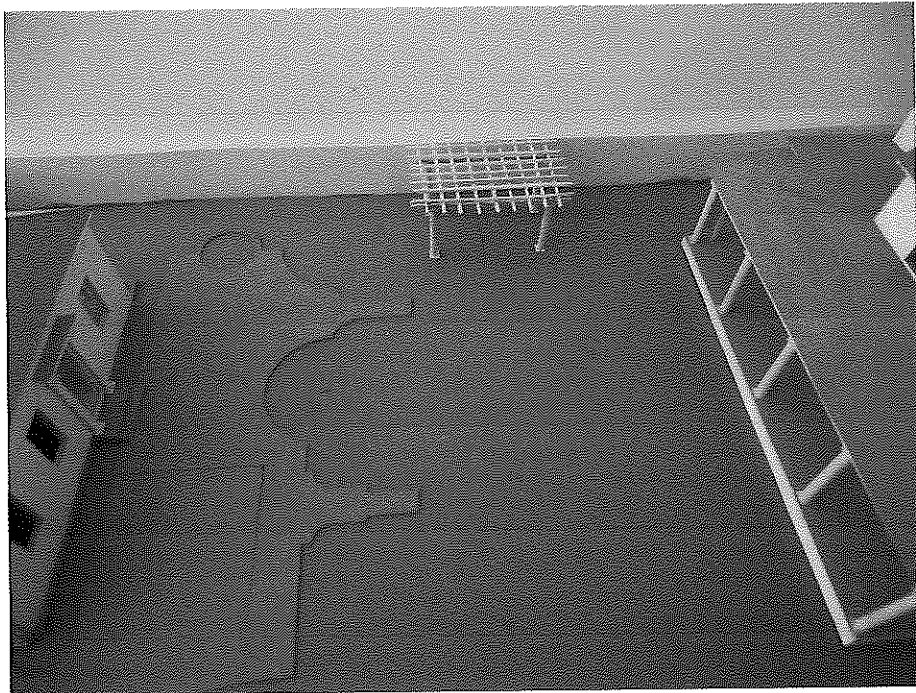
MODEL - BIRD'S EYE VIEW (WITHOUT PERGOLA)



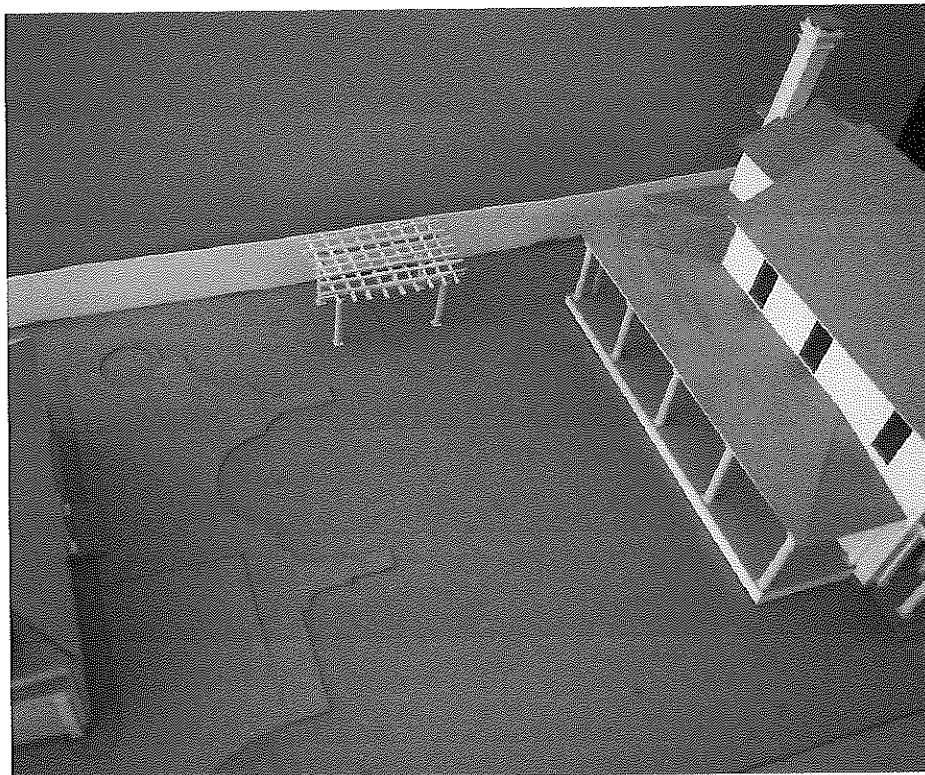
MODEL - BIRD'S EYE VIEW WITH PERGOLOA

LANGDON'S PROPOSED PERGOLA PHOTOS

PAAGE 6 OF 10



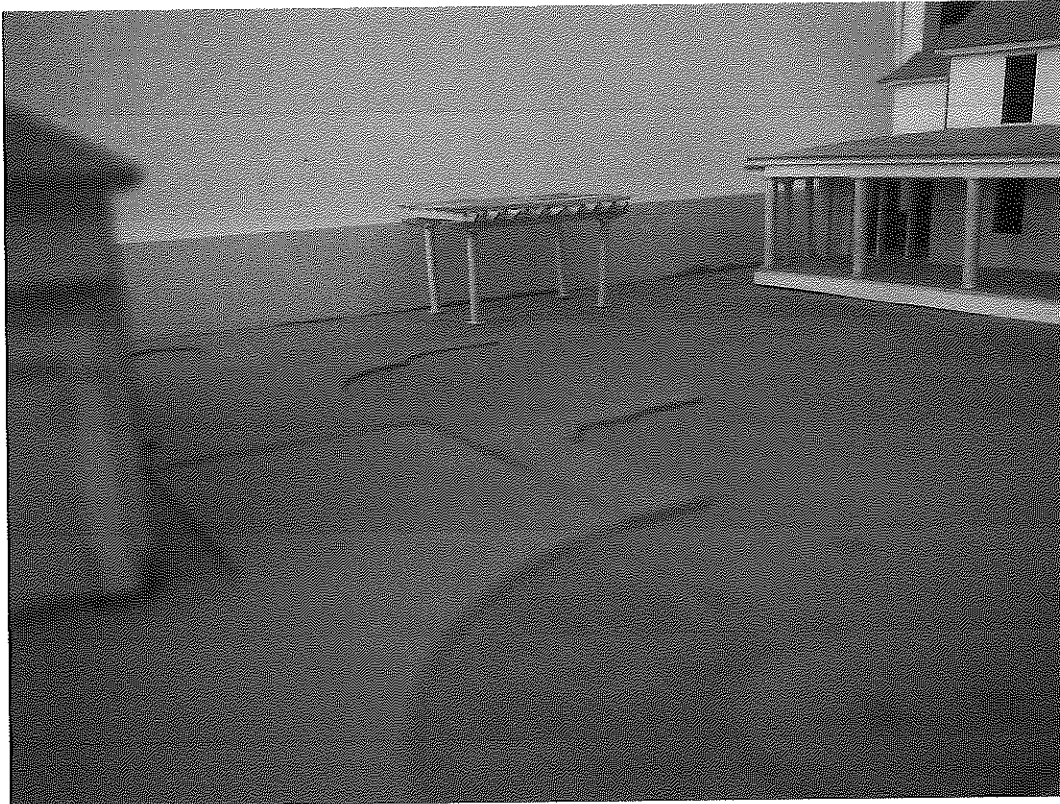
MODEL - BIRD'S EYE VIEW OF MODEL (WITH PERGOLA)



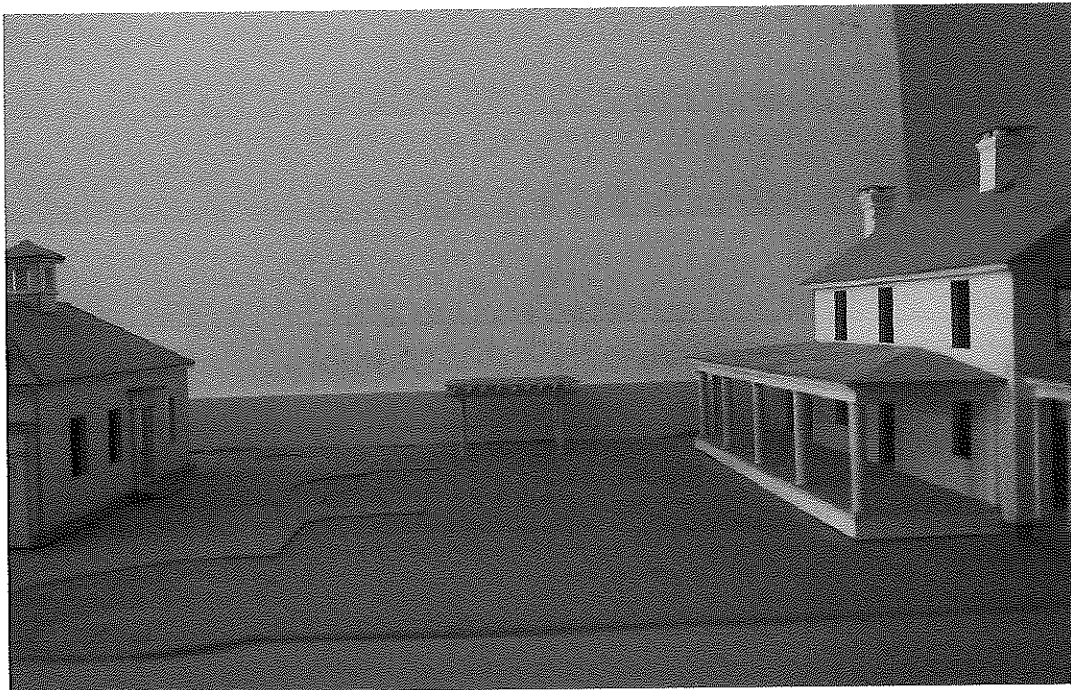
MODEL - BIRD'S EYE VIEW OF MODEL (WITH PERGOLA)

LANGDON'S PROPOSED PERGOLA PHOTOS

PAAGE 7 OF 10



MODEL – VIEW FROM CROSS STREET



MODEL – VIEW FROM CROSS STREET



Re: Proposed Pergola**From:** rtlarchi1@aol.com**To:** tegallucci@aol.com <tegallucci@aol.com>**Cc:** cduques@essexct.gov <cduques@essexct.gov>; lfasulo@essexct.gov <lfasulo@essexct.gov>; ddeleeuw@essexct.gov <ddeleeuw@essexct.gov>**Date:** Fri, Oct 21, 2022 8:42 am**Okay. Thanks for taking another look.****Kind Regards.***Richard T. and JoAnn S. Langdon*

The Jacob Latimer House

4 Cross Street

Essex, Connecticut 06426

TEL: 860-581-0255

-----Original Message-----

From: tegallucci <tegallucci@aol.com>**To:** rtlarchi1@aol.com**Cc:** cduques@essexct.gov; lfasulo@essexct.gov; ddeleeuw@essexct.gov**Sent:** Fri, Oct 21, 2022 8:10 am**Subject:** Re: Proposed Pergola

Thank you for your response.

We are satisfied that the Zoning Board will properly consider your application taking into full account all requirements that such a project must conform to. We remain concerned as previously stated.

Sincerely,

Tom and Aurise Gallucci

22 Pratt Street

Essex, Ct. 06426

Sent from my iPhone

On Oct 20, 2022, at 11:34 AM, Rtlarchi1@aol.com wrote:**Dear Mr. and Mrs. Gallucci,**

Thank you for taking the time to review our proposal, and to render a response. We do appreciate it. We offered up the packet as a way of being completely transparent about making changes to our property, even though we are not required to do so.

We can appreciate your concern about the proposal, as you have interpreted it, and your offering up the option to revisit it should we change the facts to your satisfaction. If only it were that simple! Change comes hard to all of us.

In the interest of addressing your concerns, we submit the following and attached documents. We have attached additional photos, locations from which the were taken and drawings more specifically addressing view. We think that these are self explanatory, as they suggest that the change in view (existing rise in angle visualizing only the upper portion shown in the photos) is reduced by only about 1%

In speaking further to your VIEW, I suspect that your perspective above the existing 87 inch high fence, combined with our landscaping and trees along Cross Street, limits what you can see of Cross Street and the St. John's Church property, when standing and or sitting in your back yard. When utilizing your second floor balcony, we are certain that your view would not be significantly affected in any way, except, perhaps giving you more to look at in our yard, and offering us a little more, less fish bowl (from your balcony), privacy when using that part of our property. We need to keep in mind that the proposed pergola is only 13 inches above the fence and only 9 inches above the fence posts; that the height is only the top purlins (running parallel to the fence and set back from the outside dimension more than a foot). The middle purlins are perpendicular to the fence, hence allowing some visual openness. The supporting beams (running parallel to the fence) are mostly below the fence. This would not be a solid wall or structure, but rather an open, airy assembly of parts. Also, I would note here that the top portion of our fence, is lattice, rather than solid to allow more visual and circulatory relief.

As for your suggesting a pergola the height of the fence, the reality is that the carrying beams would then be only 70 1/2 inches above grade, 9 1/2 inches less than a standard door opening. This would not only be a head bumper, but would also fly in the face of Building Code implications that say that the lowest projection should not be less than 80 inches. And this does not address the aesthetic nor proportions of its assembled members. Were we to build a pergola based upon an 80 inch opening height, the overall height would still exceed 8 feet and be 9 1/2 inches above the fence, only 3 1/2 inches less than the proposed structure.

We hope that, with this information, your concerns might be alleviated.

Thanks again for your time and attention to these communications.

<https://mail.aol.com/webmail-std/en-us/basic#>

Kind Regards,

Richard T. and JoAnn S. Langdon
New England Architectural Consulting
The Jacob Latimer House
4 Cross Street
Essex, Connecticut 06426
TEL: 860-767-8099

-----Original Message-----

From: Thomas E Gallucci <tegallucci@aol.com>

To: Rtlarchi1@aol.com <Rtlarchi1@aol.com>

Cc: cduques@essexct.gov <cduques@essexct.gov>; lfasulo@essexct.gov <lfasulo@essexct.gov>; ddeleeuw@essexct.gov <ddeleeuw@essexct.gov>

Sent: Wed, Oct 19, 2022 1:17 pm

Subject: Proposed Pergola

October 19, 2022

Dear Mr. and Mrs. Langdon,

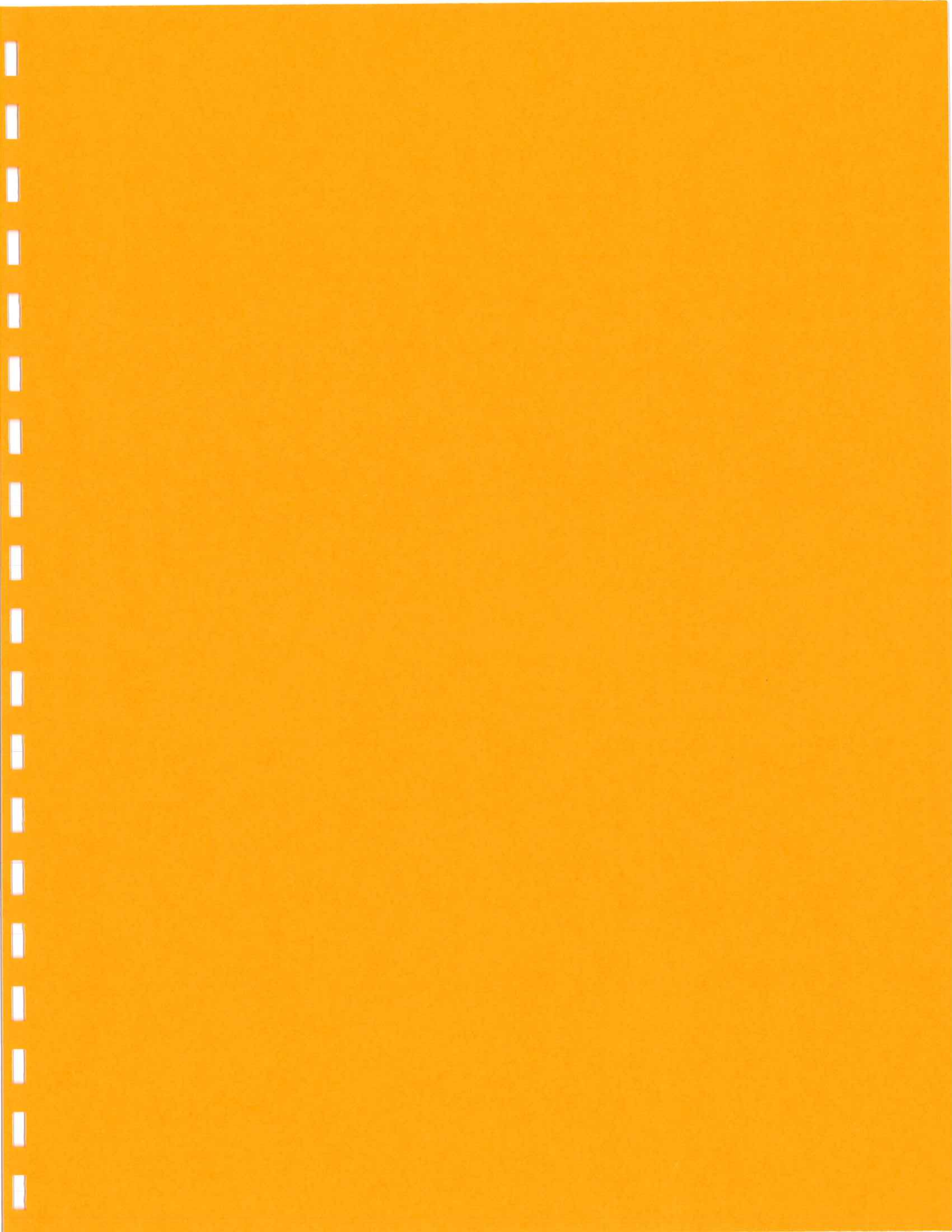
We are in receipt of your communication regarding the possible construction of a pergola along our mutual property line. Upon receipt of same, we evaluated the likely impact of this structure as specifically detailed in your written proposal for abutting neighbors. It is our observation that the scope (height, length and proximity) of this proposed pergola would significantly obstruct our views across your property to Cross Street and the architecturally significant St. John's Church property. As such, we are not able to support this proposal.

We regret that the proposed structure would negatively impact our views. If the scope of this proposal was more in dimension with the existing fence height and did not obstruct for some 16' of view, which is the vast majority of our view, we could re-evaluate the potential impact and render a revised perspective. However, as the proposal is presently specified, we have no choice but to express our serious concern. The issue of "hardship", being integral to any variance request, is also a component in this process. We do not understand that building a 16' long pergola over a gas grill would provide relief for an existing hardship.

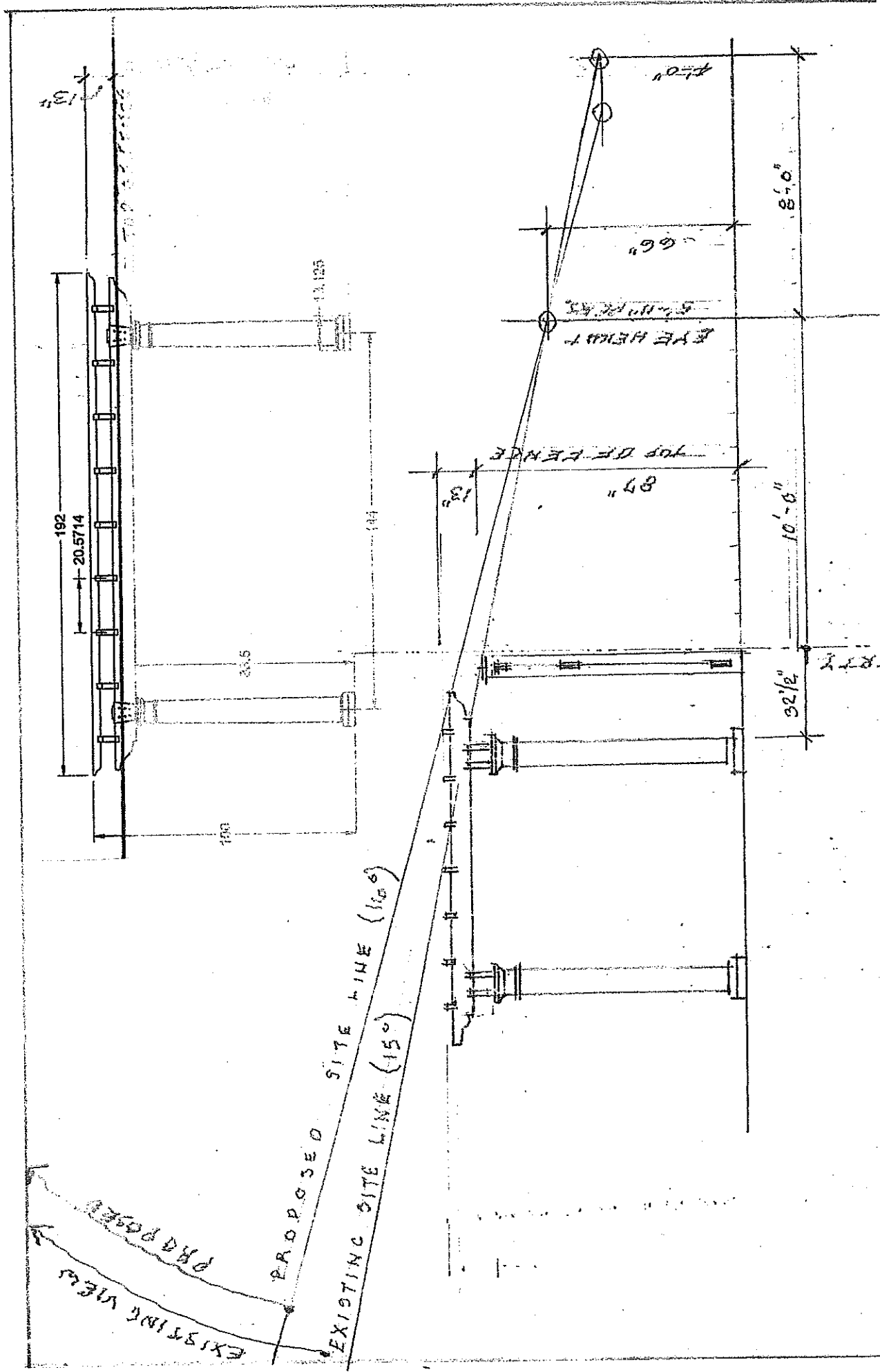
We're sure you understand that this response to your proposal is strictly based upon your intention to build as specified in your documents. We have always respected our neighbors and will continue to do so. The issue here is solely one of protecting our vistas.

Sincerely,

Tom & Aurise Gallucci
22 Pratt Street
Essex, Ct. 06426
tegallucci@aol.com



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ADDITIONAL PHOTOS – LANGDON PERGOLA PROPOSAL

LANGDON'S PROPOSED PERGOLA PHOTOS

PAGE 8 OF 10



**PHOTO 1 - CENTER OF INSIDE OF FENCE BEHIND PROPOSED PERGOLA
(Looking toward St John's Church PROPERTY)**



**PHOTO 2 – INSIDE FENCE IN LINE WITH BACK OF GALUCCI HOUSE
(Note location of corner of proposed pergola)**

LANGDON'S PROPOSED PERGOLA PHOTOS

PAAGE 10 OF 10



PROPOSED PERGOLA LOCATION WITH GALLUCCI PROPERTY BACKDROP



**GALLUCCI PATIO OPPOSITE SIDE OF PROPOSED PERGOLA –
)Through the fence lattice)**