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JUN 23 2023

Town of Essex
Zoning Board of Appeals
29 West Avenue, Essex, CT 06426

Variance Application

BY:

Date received by office _____ Application fee - \$50 + State fee - \$60 = \$110 Pd. √#8147

Application # 23-10 Hearing Date _____

Premises: Street Address 54 MAIN ST.

Assessor's Map # 47 Lot # 23 Lot Area 0.14 ac

Zoning District WF Deed Reference: Book _____ Page _____

Owner of Property ANNELISA SANTORO

Address 48 MAIN STREET ESSEX CT. 06426
Street Town State Zip

Telephone 860-767-1896 Email: annelisa@steglobal.net
home work

N/A 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 BOARD OR 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) Annalisa Santoro Date 6-22-2023

Current use of the property Residential Business Farm Other GARA

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

Is the property within the Gateway Conservation District? Yes No *? you tell me please*

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		
<input checked="" type="checkbox"/> 40D	No improvements except in conformity		
<input type="checkbox"/> 40E	No change in the use of any land or improvement, in the location of any improvement, or in the size of shape of any lot or improvement except in conformity with the zoning regs.		
	Coverage		
	<input checked="" type="checkbox"/> Setbacks		
	Height		
	<u>101E</u>		

(Please attach supplemental sheets if space provided is insufficient)

Yes No DON'T KNOW
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 PLANS - HARDSCAPE - PATIO -
FIREPAT, construction of a permeable stone patio,
36" stone pillars and 18" high sitting wall within the
100 foot setback as indicated on the attached plan.

(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. This property currently contains a nonconforming boathouse structure, that was built in 1920 and predates the Gateway Buffer regulation. This site

b. was historically a dock, but the land was filled in when the bulkhead was constructed at the turn of the 20th century. The land was thus never a natural riparian buffer as occurs elsewhere along the river but has always been an artificially constructed surface

c. used as part of the sites maritime use, first as a warehouse for shipped goods, and later as boat storage. The property is currently in the Waterfront Business zoning district. Safe, direct access to the water is thus an important part of the sites history and it current zoning status. A variance is being sought to allow better connection to the

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

a. The property is very small compared to most others in the waterfront business district, and much of it is within the 100' setback, making the construction of the patio elsewhere impractical. Moreover, most other properties in this zone already do have structures and improvements within the Gateway buffer zone for waterfront access and recreation.

c.

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

a. NONE

b.

c.

dock from the boathouse and street entry through the construction of a path and patio. The dock and patio will be used for waterside recreation and launching the owners motor boats and canoes from the property. Not allowing a property in the Waterfront Business district to have this waterfront access imposes an undue hardship on ~~me~~ the owner who needs an even surface for stability and safety.

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

a. THE PROPOSED IMPROVEMENT WILL FULLY RESPECT THE INTENT OF THE 2015

GATEWAY BUFFER AREA REGULATION

THE PATIO WILL BE LARGELY INVISIBLE FROM THE RIVER, AND BECAUSE THE PROPERTY IS IN THE DENSELY BUILT HEART OF ESSEX VILLAGE, THIS IMPROVEMENT AND ASSOCIATED USES WILL NOT IN ANY WAY STAND OUT FROM THE ALREADY EXISTING TRADITIONAL RIVER SCENE IN THIS AREA.

IN FACT, BY GRANTING THIS HISTORIC PROPERTY BETTER ACCESS TO THE DOCK AND WATERFRONT, THE PROPOSED IMPROVEMENTS WILL REINFORCE THE SITE'S TRADITIONAL USE. MOREOVER, THE STONE PATIO WILL BE PERMEABLE AND WILL NOT NEGATIVELY IMPACT RUNOFF INTO THE RIVER. BECAUSE THE LAND IS ARTIFICIALLY BUILT UP AND CURRENTLY LAWN, NO REMOVAL OF NATIVE VEGETATION OR LANDSCAPE BUFFER WILL BE REQUIRED FOR CONSTRUCTION.

Have previous applications been made for this property? Yes No

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
- _____ e. Referral from Essex IWWC (if applicable)
- _____ f. Referral from adjacent towns
- _____ 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.

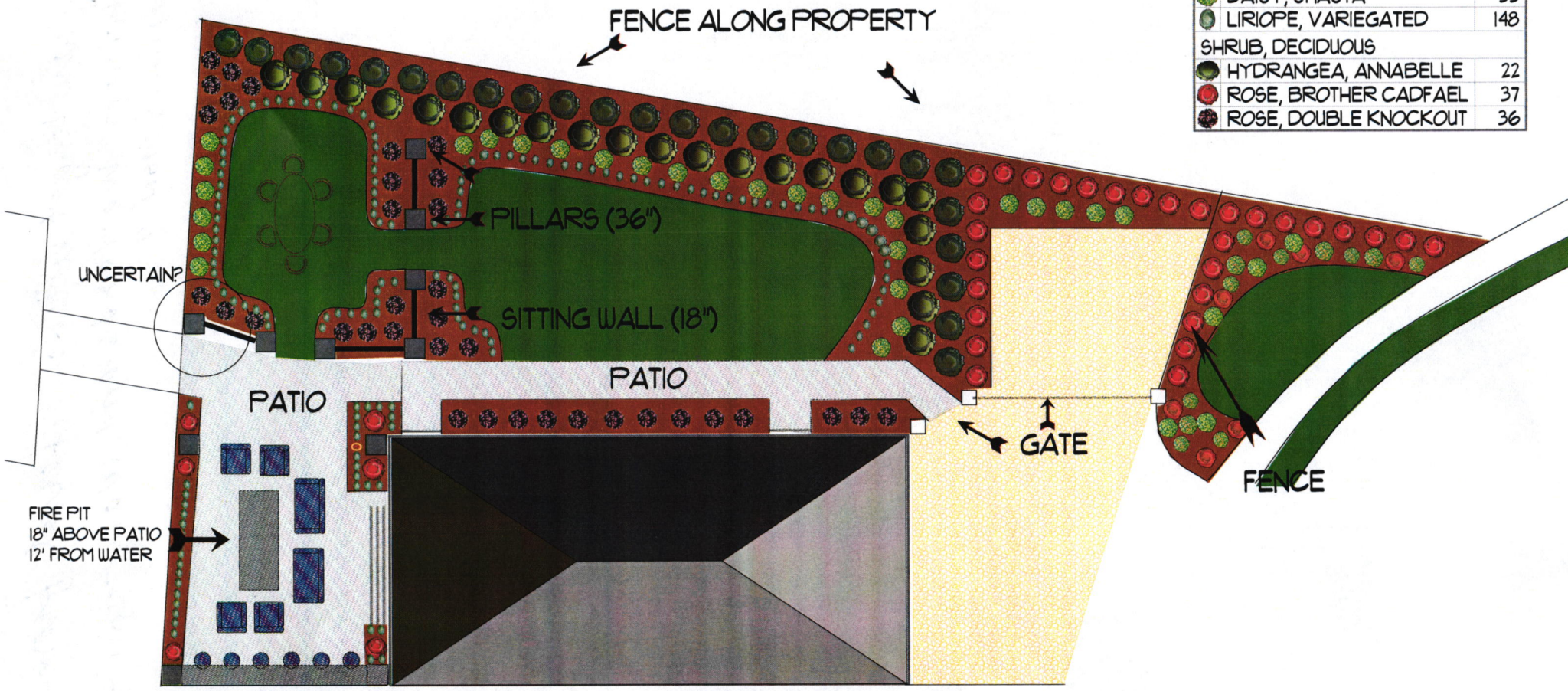
Signature of applicant _____ Date: _____

Signature of property owner Annalisa Sinto _____ Date: 6- _____

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

NAME	ADDRESS	TOWN	ZIP CODE

LEGEND		
COMMON NAME	QTY	
FLOWER, GRASS		
● GRASS, ZEBRA	25	
FLOWER, PERENNIAL		
● CANNA LILY, ALBERICH	8	
● CANNA LILY, CARNIVAL	4	
● CANNA LILY, CHAMPION	7	
● DAISY, SHASTA	33	
● LIRIOPE, VARIEGATED	148	
SHRUB, DECIDUOUS		
● HYDRANGEA, ANNABELLE	22	
● ROSE, BROTHER CADFAEL	37	
● ROSE, DOUBLE KNOCKOUT	36	



Revision #:	Scale:	Landscape Plan:	Landscape Design by: Anthony Niro
Date: 6/20/2023	1/32" = 1'	Annelisa Santoro	The Niro Companies

~~ask~~

ask Cary how to get letter of Referral from
the "Interior Wetlands and Watercourses
Commission"



Vertical text on the right edge of the page, possibly a page number or reference code, including the number "101".