

Town of Essex
Zoning Board of Appeals

RECEIVED
OCT 24 2023

29 West Avenue, Essex, CT 06426

Variance Application

25271 ✓

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

Application # 23-18 Hearing Date _____

Premises: Street Address 13 Novelty Lane

Assessor's Map # 50 Lot # 005 Lot Area 3.05 ac

Zoning District WF Deed Reference: Book 0147 Page 0753

Owner of Property Essex Yacht Club Inc

Address 13 Novelty Lane Essex CT 06426

Street _____ Town _____ State _____ Zip _____

Telephone 860-767-8121 Email: B.Forbes@essexyc.com
home work

Applicant (if not owner) Paul Riggio / Richard Riggio and Sons

Address 90 Pond Meadow Road Ivoryton CT 06442

Street _____ Town _____ State _____ Zip _____

Telephone Work 860-767-8494 Cell 860-662-0157 Email Paul@RichardRiggioandsons.com

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) Paul Poggi Date 10-23-23

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 checked="" type="checkbox"/> 101E	A variance requested of Section 101E Gateway Buffer Area		
<input checked="" type="checkbox"/> 40D	No improvements except in conformity		
<input type="checkbox"/> 40F			For Carcy to Confirm

?

Coverage

Setbacks

Height

(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)

Please see the plans attached to the application for all measurement
The proposed use is the addition of an elevator shaft to allow for access to the second floor of the building for handicapped persons _____

(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. The membership of the Essex Yacht Club voted to support the addition of an elevator for the aging and in need members. There is no reasonable location in the interior of the building to place an elevator without greatly effecting the function of the interior. Due to the structural design of the original floor structure it would be nearly impossible to cut through this 3” plank deck floor to the second floor and support as needed. The engineer thought an exterior addition was the best solution to this problem. Adding an elevator is the responsible thing to do.

b.

c.

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

a. Due to the current location of this building there is no choice but to construct this addition in the requested location. The only area of the existing building high enough to make a two floor elevator work is in this location. Please refer to the plans to see how tight the design is.

b. Due to the unstable ground, all of the Essex Yacht Club’s main building is built on pilings and grade beams. It would be impossible to drive pilings within the existing building to support this additional structural load. Therefore the only location for this elevator can be on the outside of the existing building

C. Why was this location picked? As access is needed to the elevator on both the first and second floors, there are only two locations on the exterior of this building to put the elevator that is high enough for the elevator to work. One location is the south side of the building. We chose not to use this location due to

the visual issue from the CT River. The north side was picked as it would tuck in behind the deck and would be less visible. The second question might be, why not inside the existing build? As stated above " Due to the unstable ground, all of the Essex Yacht Club's main building is built on pilings and grade beams. It would be impossible to drive pilings within the existing building to support this additional structure ". The conclusion was that this location would have the least visual impact to the surrounding properties and take care of the need for the elevator.

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

a. _____

b. _____

c. _____

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

a. _____

We believe the requested variance is in harmony with the intent of the Zoning regulations as this elevator addition was designed with the smallest footprint possible to provide for a much needed elevator. An elevator is a need, not a luxury!

b. _____

c. _____

For Carey to confirm

? 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
- _____ h. Referral from the Essex Harbor Management 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 Paul Poggia Date: 10-23-23

Signature of property owner Essex Yacht Club Date: 10-23-23
by Deo T. Dwyer Jr. House Committee Chair

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

NAME	ADDRESS	TOWN	ZIP CODE
SHM Dauntless LLC	14785 Preston Rd STE 975	Dallas, TX	75254
Bowers William & Kennedy Joanne (jt)	15 Novelty Lane	Essex, CT	06426



