



TOWN OF ESSEX
Zoning Board of Appeals

Executive Board
W. T. Fergusson, Chair
W Feirer, Vice Chair
Philip J Schaller, Secretary

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Regular Members
B. Sarrantonio
Philip J Beckman

Alternate Members
George Wendell
Richard Rybak
Susan Feaster

Unapproved

Minutes
March 21, 2023 – Zoning Board of Appeals

Call to Order and Seating of Members

The Essex Zoning Board of Appeals conducted its regularly scheduled meeting on Tuesday, March 21, 2023 at 7:00 p.m. at the Essex Town Hall, Meeting Room A and also public access via online through Zoom. Members in attendance were W T Fergusson, W Feirer, B Sarrantonio, P Schaller, P Beckman, G. Wendell (alternate), R. Rybak (alternate-via zoom).

Staff present: Carey Duques, Zoning Enforcement Officer and Sylvia Rutkowska, ZBA Legal Counsel (via zoom).

W T Fergusson welcomed everyone to the Essex Zoning Board of Appeals meeting.

The members of the Essex Zoning Board of Appeals announced themselves. The audio attendees were advised to mute themselves during the meeting except during public comment. Attendees were asked to please identify themselves for the record prior to making any comments.

1. Public Hearing

Application No. 23-01 on behalf of Essex House, LLC, **63 South Main Street, Essex, CT**, Assessor's Map 46 Lot 33, RU District, requesting variances to Sections 40B, 40E and 61B for the creation of three (3) lots 40,537 sq ft each where 80,000 sq ft is required, and 2 lots having a lot width of 144.5 ft and 1 lot having a lot width of 124.5 ft where 150 feet is required.

Seated for this application, W T Furgueson, W Feirer, B Sarantonio, P Schaller, P Beckman.

Applicant has requested the item be continued to the next regular meeting April 18, 2023.

Application No. 23-02 on behalf of Katherine C. and Colin D. Campbell, **6 Parker Terrace**, Essex, CT, Assessor's Map 32 Lot 11, VR District, requesting a modification to Variance 22-13 to increase the size of the garden shed from 12' X 18' to 12' X 20' needing variances to Sections 40C, 40D, 40I.1, 50D, and 60B for the 12' X 20' garden shed to be 4 feet where 30 feet is required from the rear property line, resulting in an increase in coverage of 12.7% where 10% is allowed.

Seated for this application, W T Furgueson, W Feirer, B Sarantonio, P Schaller, P Beckman.

Doug Campbell, the property owner presented this modification explaining that he had been before the ZBA in October for a variance for a 18' X 12' shed, which was granted, but upon shopping around for the sheds a 18' X 12' shed cannot be transported into his yard. Therefore he would like to have a post and beam shed constructed on his property but the size would need to be increased to 20' X 12'. There would not be any additional encroachment on the setbacks and the increase in coverage from the approval granted in October would be 0.22%.

Previous variance requests: ZBA #22-13

W T Furgueson asked if anyone wished to speak in favor or in opposition of this proposal.

There were no comments.

There were no letters submitted.

There were no further comments by the Board.

MOTION by W Feirer to close public hearing on **Application No. 23-02** on behalf of Katherine C. and Colin D. Campbell, **6 Parker Terrace**, Essex, CT, Assessor's Map 32 Lot 11, VR District, requesting a modification to Variance 22-13 to increase the size of the garden shed from 12' X 18' to 12' X 20' needing variances to Sections 40C, 40D, 40I.1, 50D, and 60B for the 12' X 20' garden shed to be 4 feet where 30 feet is required from the rear property line, resulting in an increase in coverage to 12.7% where 10% is allowed. **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarantonio, P Schaller, P Beckman, W Feirer; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

Discussion and possible decision on applications:

- **Application No. 23-01** on behalf of Essex House, LLC, **63 South Main Street**, Essex, CT

Applicant has requested the item be continued to the next regular meeting April 18, 2023.

- **Application No. 23-02** on behalf of Katherine C. and Colin D. Campbell, **6 Parker Terrace**, Essex, CT

Commissioners determined that this proposal is a modification to the variance granted in October 2022.

MOTION made by P Beckman to grant a modification under **Application No. 23-02** on behalf of Katherine C. and Colin D. Campbell, **6 Parker Terrace**, Essex, CT, Assessor's Map 32 Lot 11, VR District, requesting a modification to Variance 22-13 to increase the size of the garden shed from 12' X 18' to 12' X 20' needing variances to Sections 40C, 40D, 40I.1, 50D, and 60B for the 12' X 20' garden shed to be 4 feet where 30 feet is required from the rear property line, resulting in an increase in coverage to 12.7% where 10% is allowed. The hardship associated with this application is the topography of the lot. The Application is approved in accordance with the plans as submitted; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Schaller, P Beckman, W Feirer; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0. Discussion:** No further discussion.

3. Unfinished Business

Approval of Minutes – December 20, 2022

MOTION made by W T Furgueson to approve the December 20, 2022 Minutes with the following changes:

- Page 1 First paragraph should read *its* regularly scheduled meeting not their.
- Page 2 Sixth paragraph second sentence replace would with *could*. Add onto the last sentence of that paragraph *while the adjacent lot is becoming non-conforming*.
- Page 3 Third paragraph second sentence should read There is a buildable area in the back portion of the property *encroached on by the sanitary system*. The owners.....
- Page 6 Adjournment should have been unanimous those voting should include W T Furgueson, B Sarrantonio, P Beckman, P Schaller, S Feaster, G. Wendell.

SECONDED by P Beckman; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Beckman, P Schaller, G Wendell; **OPPOSED:** None; **ABSTAINING:** W Feirer; **MOTION CARRIED 5-0-1. Discussion:** No further discussion.

MOTION made by P Beckman to amend the agenda to add the Election of Officers **SECONDED** by B Sarrantonio; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Schaller, P Beckman, W Feirer; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.** **Discussion:** No further discussion.

4. New Business –

- Election of officers.

MOTION made by B Sarrantonio to elect the following slate of Officers: W T Furgueson as the Chairman, W Feirer as the Vice Chairman, and P Schaller as Secretary, **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Schaller, P Beckman, W Feirer; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.** **Discussion:** No further discussion.

5. Correspondence – There was no correspondence.

6. Adjournment

MOTION made by W Feirer to adjourn the meeting at 7:27 pm to the next regularly scheduled meeting which will be held on Tuesday, April 18, 2023 at 7:00 p.m., at the Essex Town Hall and accessible via online. Refer to Town of Essex website for the Zoom link and related information; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Schaller, P Beckman, W Feirer; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.** **Discussion:** No further discussion.

Respectfully submitted,

Carey Duques, Land Use Official- Substitute Clerk