



TOWN OF ESSEX  
Zoning Board of Appeals

**Executive Board**  
*W. T. Furgueson, 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**  
**May 16, 2023 – Zoning Board of Appeals**

**Call to Order and Seating of Members**

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, May 16, 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 Furgueson, W Feirer, P Schaller, P Beckman, S Feaster.

Staff present: Carey Duques, Zoning Enforcement Officer, Stella Caione, Recording Clerk and Sylvia Rutkowska, ZBA Legal Counsel.

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. 23-03** on behalf of **RQBNN, LLC, 50 South Main Street, Essex, CT**, Assessor's Map 46 Lot 42, VR District, requesting variances of Sections 40C, 40D, 40I.1, and 60B for a porch and deck addition to the rear of the property to be 14 ft to the south and 18ft to the north of the side property lines where 25 ft is required, resulting in a new total coverage of 17.7% where 10% is allowed.

Seated for this application, W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster.

This application is to request variances to allow for construction of a porch and deck addition to

the rear of the property. 50 South Main Street is 0.25 of an acre. The zone is Village Residence which has a minimum lot size of 60,000 sq ft and minimum lot width of 120 ft. There are variance requests for a reduction in setbacks and increase in coverage.

**Previous Variance requests;** None

The property owners, James and Cecelia Deschenes presented on behalf of this application.

Cecilia Deschenes who presented on behalf of this proposal stated that her backyard is currently unusable and she would like to create an outdoor living space behind her house. C Deschenes is proposing a porch, to be connected to the existing house, off the back of the structure, and then to build a deck for access across the backyard, which is a sloped yard. The creation of the addition, and deck, results in an exceedance of the coverage allowed.

The applicant proposes to increase the size of the landing to an 8' x 13 area. Due to the encroachment on the setbacks that this proposal presents, a variance would be needed for the deck.

The existing chicken coop, which dates back to 1804, and which is a sizeable structure, will remain in place.

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

Steve Bogan, former property owner of 50 South Main Street, stated his support for this proposal.

There were no further comments.

The CT River Gateway Commission submitted a letter stating no objection to this proposal.

**MOTION** by W T Furgueson to close public hearing **Application No. 23-03** on behalf of **RQBNN, LLC, 50 South Main Street, Essex, CT**, Assessor's Map 46 Lot 42, VR District, requesting variances of Sections 40C, 40D, 40I.1, and 60B for a porch and deck addition to the rear of the property to be 14 ft to the south and 18ft to the north of the side property lines where 25 ft is required, resulting in a new total coverage of 17.7% where 10% is allowed, at 7:22pm; **SECONDED** by P Beckman; **IN FAVOR** W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0. Discussion:** No further discussion.

**Application No. 23-04** on behalf of **Alyssa Bogan, 7 Clark Lane, Essex, CT**, Assessor's Map 17 Lot 26, VR District, requesting variances of Sections 40C, 40D, 40I.1, 50D, and 60B for an addition to the rear of the property with a setback of 18 ft where 25 ft is required and a roof over the existing front porch, resulting in a new total coverage of 13% where 10% is allowed.

Seated for this application, W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster.

This application is to request variances to allow for construction of a porch and deck addition to

the rear of the property. The zone is Village Residence, which has a minimum lot size of 60,000 sq ft and min lot width of 120 ft. The variance requests associated with this proposal is for a reduction in setbacks and increase in coverage.

The property owner is proposing installation of a porch to be connected to the existing house, off the back of the structure, and then to build a deck for access across the backyard, which is sloped. The creation of the addition and deck results in an exceedance of the coverage allowed.

**Previous Variance requests:** None

Attorney Terrance Lomme who presented stated that the applicant wishes to construct an addition that will be comprised of a bedroom, and a bathroom, and the location of this proposal will not be visible from the road. Attorney Lomme distributed a map reflecting the adjoining properties.

Attorney Lomme stated that there will be a small portico placed on the front of the house. It was noted that the existing septic is behind, and close to the house. The existing house is 16.5' from the property line, and this addition will present no further incursion. There will be no encroachment on the front setback.

Attorney Lomme stated that the hardship is the small lot. This proposal presents a reduction of the nonconformity which is close to the sideline, in exchange for the addition.

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

Susan Bogan, the applicant's mother presented in support on behalf of this application.

There were two letters of support entered into the record.

The CT River Gateway Commission submitted a letter stating no objection to this proposal.

There were no further comments.

**MOTION** by W T Furgueson to close public hearing **Application No. 23-04** on behalf of **Alyssa Bogan, 7 Clark Lane, Essex, CT**, Assessor's Map 17 Lot 26, VR District, requesting variances of Sections 40C, 40D, 40I.1, 50D, and 60B for an addition to the rear of the property with a setback of 18 ft where 25 ft is required and a roof over the existing front porch, resulting in a new total coverage of 13% where 10% is allowed, at 7:40pm; **SECONDED** by P Beckman; **IN FAVOR**; W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **OPPOSED**: None; **ABSTAINING**: None; **MOTION CARRIED** 5-0-0. **Discussion**: No further discussion.

**Application No. 23-05** on behalf of **Nancy H. Tela, 8 Riverview Street, Essex, CT**, Assessor's Map 28 Lot 41, VR District, requesting variances to Sections 40C, 40D, 40E, 40I.1., 50D and 60B for code compliant interior stair, first and second floor roof improvements, and second floor addition within the existing footprint, which is 7.4 ft (north side) 20.5 ft (front setback), from the

property line where 25 ft is required from the side and 30 ft from the front, and a proposed reduction in coverage from 22% to 20%

Seated for this application, W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster.

This application is to request variances to allow for modifications to the existing house including construction of a code compliant staircase, first and second floor roof improvements, and second floor addition within the existing footprint. 8 Riverview Street is 0.26 of an acre. The zone is Village Residence which has a minimum lot size of 60,000 sq ft and min lot width of 120 ft. There are variance requests for a reduction in setbacks and increase in coverage.

**Previous Variance requests:** None

Peggy Sullivan, architect who presented on behalf of the applicant stated that the applicant wants to replace the steep interior stairs that lead to the second floor. The existing stairs are in the side setback. The existing bedroom will be converted into a home office. The roof is flat and is not energy efficient. This proposal will change the flat roof to a gambrel roof, which is in keeping with the house, and this design will mitigate the impact on the setback. The roof will slant in such a way that the roofline will allow for better use of the stairs from a safety standpoint.

This is an historic home. P Sullivan stated that will remove the closet and reduce the size of the bathroom in order to create a third bedroom which will be utilized as an office.

C Duques stated that approval of this proposal has been granted by the Health Department and she noted that the lot coverage calculation as reflected on the plans is accurate. This proposal will be in compliance with the Energy code.

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

Carl Reichenbach, neighbor stated his support for this proposal.

There were no further comments.

The CT River Gateway Commission submitted a letter stating no objection to this proposal.

**MOTION** by W T Furgueson to close public hearing **Application No. 23-05** on behalf of **Nancy H. Tela, 8 Riverview Street, Essex, CT**, Assessor's Map 28 Lot 41, VR District, requesting variances to Sections 40C, 40D, 40E, 40I.1., 50D and 60B for code compliant interior stair, first and second floor roof improvements, and second floor addition within the existing footprint, which is 7.4 ft (north side) 20.5 ft (front setback), from the property line where 25 ft is required from the side and 30 ft from the front, and a proposed reduction in coverage from 22% to 20%, at 7:53pm; **SECONDED** by S Feaster; **IN FAVOR**; W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **OPPOSED**: None; **ABSTAINING**: None; **MOTION CARRIED 5-0-0. Discussion**: No further discussion.

## 2. Regular Meeting

It was noted that the hardship is the topography, and it was also noted that the hardship needs to be unique to the other homes in the district. Most homes on that road share a topographical hardship.

- Discussion and Possible Decision on **Application No. 23-03** on behalf of **RQBNN, LLC, 50 South Main Street, Essex, CT.**

It was noted that the hardship is the topography, and it was also noted that the hardship needs to be unique to the other homes in the district. Most homes on that road share a topographical hardship. Members discussed the topography as related to this proposal.

**MOTION** made by P Beckman to approve a variance for **Application No. 23-03** on behalf of **RQBNN, LLC, 50 South Main Street, Essex, CT**, Assessor's Map 46 Lot 42, VR District, requesting variances of Sections 40C, 40D, 40I.1, and 60B for a porch and deck addition to the rear of the property to be 14 ft to the south and 18ft to the north of the side property lines where 25 ft is required, resulting in a new total coverage of 17.7% where 10% is allowed. The hardship associated with this proposal is the topography of the land, and that there is no other location on this property to construct the deck. This proposal is approved in accordance with the plans as submitted; **SECONDED** by W T Furgueson; **IN FAVOR:** W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.**  
**Discussion:** No further discussion.

- Discussion and Possible Decision for **Application No. 23-04** on behalf of **Alyssa Bogan, 7 Clark Lane, Essex, CT**

This proposal presents a reduction of a nonconformity. The property is comprised of a small house, and this proposal is modest, and in keeping with the neighborhood.

**MOTION** made by W T Furgueson to approve a variance for **Application No. 23-04** on behalf of **Alyssa Bogan, 7 Clark Lane, Essex, CT**, Assessor's Map 17 Lot 26, VR District, requesting variances of Sections 40C, 40D, 40I.1, 50D, and 60B for an addition to the rear of the property with a setback of 18 ft where 25 ft is required and a roof over the existing front porch, resulting in a new total coverage of 13% where 10% is allowed. The hardship associated with this proposal is the reduction of a nonconformity. This proposal is approved in accordance with the plans as submitted; **SECONDED** by W Feirer; **IN FAVOR:** W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.**  
**Discussion:** No further discussion.

- Discussion and Possible Decision for **Application No. 23-05** on behalf of **Nancy H. Tela, 8 Riverview Street, Essex, CT**

Members agreed that this is an extraordinarily difficult house to make changes. The stairs are a problem and this is a reasonable, tastefully put together proposal.

**MOTION** made by P Beckman to approve a variance for **Application No. 23-05 on behalf of Nancy H. Tela, 8 Riverview Street, Essex, CT**, Assessor's Map 28 Lot 41, VR District, requesting variances to Sections 40C, 40D, 40E, 40I.1., 50D and 60B for code compliant interior stair, first and second floor roof improvements, and second floor addition within the existing footprint, which is 7.4 ft (north side) 20.5 ft (front setback), from the property line where 25 ft is required from the side and 30 ft from the front, and a proposed reduction in coverage from 22% to 20%. The hardship associated with this proposal is the reduction of the nonconformity by removing a portion of the existing terrace toward the road, and the hardship created by the safety issue related to the existing stairs within the house. This proposal is approved in accordance with the plans as submitted; **SECONDED** by S Feaster; **IN FAVOR:** W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.**  
**Discussion:** No further discussion.

**3. Old Business**

Approval of Minutes – April 18, 2023

**MOTION** made by W T Furgueson to approve the April 18, 2023 Minutes with the following amendment: Page 6, to reflect that Phil Schaller was in opposition to tabling the review and approval of the March 21, 2023 Minutes; **SECONDED** by S Feaster; **IN FAVOR:** W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **ABSTAINING:** None; **OPPOSED:** None; **MOTION CARRIED 5-0-0.** **Discussion:** No further discussion.

Approval of Minutes – March 21, 2023

**MOTION** made by P Beckman to approve the March 21, 2023 Minutes as presented; **SECONDED** by W T Furgueson; **IN FAVOR:** W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **ABSTAINING:** None; **OPPOSED:** None; **MOTION CARRIED 5-0-0.** **Discussion:** No further discussion.

**4. New Business** – There was no new business.

**5. Correspondence** – There was no correspondence.

**6. Adjournment**

**MOTION** made by P Beckman to adjourn the meeting at 8:15 pm to the next regularly scheduled meeting which will be held on Tuesday, June 20, 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 W T Furgueson; **IN FAVOR:** W T Furgueson, W Feirer, P Schaller, P Beckman, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.** **Discussion:** No further discussion.

Respectfully submitted,

Stella A Caione, Recording Clerk