



TOWN OF ESSEX  
**Zoning Board of Appeals**

**Executive Board**

*W. T. Furgueson, Chair*  
*W Feirer, Vice Chair*  
*Philip P Schaller, Secretary*

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29 West Avenue • Essex, Connecticut 06426  
Telephone (860) 767-4340 • FAX (860) 767-8509

**Regular Members**

*B. Sarrantonio*  
*Brian Weinstein*

**Alternate Members**

*Philip J. Beckman*  
*George Wendell*  
*Richard Rybak*

**Unapproved**

**Minutes**

**June 16, 2020 – Zoning Board of Appeals**

**1. Call to Order and Seating of Members**

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, June 16, 2020 at 7:00 p.m. This meeting was made available to the public via Zoom at

<https://us02web.zoom.us/j/87972012573?pwd=aHRDSDkwYlhuSHBha0wwZWlwNHhtQT09>:

Meeting ID: 879 7201 2573: Meeting Password: 266158

EZBA Chairman W T Furgueson welcomed everyone to the Essex Zoning Board of Appeals public access meeting which was conducted remotely based on the Governor's suspension of the In-Person Open Meeting Requirements.

The Zoning Board of Appeals members 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.

Commission members present: W T Furgueson, B Sarrantonio, W Feirer, R Rybak, G Wendell, and P Beckman.

Staff present: Joseph Budrow, Zoning Enforcement Officer, Stella Caione, Recording Clerk and David Royston, ZBA Legal Counsel.

Audience: Gregory Gondek, Jeffrey Vernon, Colin Campbell, Pat Atkinson.

**2. PUBLIC HEARINGS**

- **Application No. 20-12** on behalf of Gregory Gondek, 7 Captain's Walk, Essex, CT, Assessor's Map 51, Lot 23, RU District, requesting variances to sections 40C, 40D, 40I.1 and 61B of the zoning regulations to locate a 6' x 8' shed to a point 12 feet from a side property line where a 30 feet is required.

Seated were W T Furgueson, P Beckman, W Feirer, B Sarrantonio, G Wendell.

Gregory Gondek who presented on behalf of this application stated that he is looking to install a small 6' x 8' shed in which to house pool supplies, i.e., cushions, floats, etc. G Gondek stated that this is the only level spot on the subject property. G Gondek stated that he will remove a section and half of the existing fence so the entrance and door of the shed will be situated inside the pooled, fenced in area. The hardship associated with this proposal is that there is no other location on which to place this structure. The topography of the property is steep and the proposed location is the only level location on which to place the shed.

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

There was no comment from the audience.

There was one letter from the Gateway Commission stating that they would not likely oppose the granting of a variance.

There was no further comment from the Board.

The public hearing closed at 7:10pm.

- **Application No. 20-13** on behalf of Jeffrey Vernon, 57 West Avenue, Essex, CT, Assessor's Map 32, Lot 9, VR District, requesting variances to sections 40C, 40D, 50D, 40I.1 and 60B of the zoning regulations to allow a 12' x 20 shed to a point 8 feet from a side property line where a 25 feet is required. Also, to allow the building coverage to increase from 13% to 13.38% where 10% maximum building coverage is allowed.

Seated were W T Furgueson, P Beckman, W Feirer, B Sarrantonio, R Rybak.

Jeffrey Vernon who presented on behalf of this proposal stated that there is an existing shed on his property for which there is a tree growing out of the middle of the structure. J Vernon cut the tree down that was protruding from the garden shed, which opened the area, as well as the neighbor's viewpoint. J Vernon stated that he wishes to replace the shed and place the proposed structure in the same location, rotating it on a 90 degree turn, and add a few feet to the length creating a 12' x 20' structure. J Vernon stated that the existing shed in its current location provides the abutting neighbors with some measure of privacy and he noted that he selected this same location on which to place the shed so as to create the same situation for the abutting neighbors. The stated hardship is the topography of the property.

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

Colin Campbell, Parker Terrace who is an abutter of the subject property stated that this is a positive enhancement to the neighborhood and expressed his support of this proposal.

Pat Atkinson stated that he is in favor of the location and of this proposal.

There were no further comments from the audience.

There was one letter from the Gateway Commission stating that they would not likely oppose the granting of a variance.

There was no further comment from the Board.

The public hearing closed at 7:25pm.

### **3. REGULAR MEETING**

- **Application No. 20-12** on behalf of Gregory Gondek, 7 Captain's Walk, Essex, CT, Assessor's Map 51, Lot 23, RU District.

W T Furgueson stated that the topography of the land has created a hardship.

**MOTION** made by W T Furgueson to approve a Variance for **Application No. 20-12** on behalf of Gregory Gondek, 7 Captain's Walk, Essex, CT, Assessor's Map 51, Lot 23, RU District, requesting variances to sections 40C, 40D, 40I.1 and 61B of the zoning regulations to locate a 6' x 8' shed to a point 12 feet from a side property line where a 30 feet is required. The hardship associated with this proposal is based on the topography of the land. This proposal is approved in accordance with the plans as submitted; **SECONDED** by G Wendell; **IN FAVOR:** W T Furgueson, P Beckman, W Feirer, B Sarrantonio, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

**Application No. 20-13** on behalf of Jeffrey Vernon, 57 West Avenue, Essex, CT, Assessor's Map 32, Lot 9, VR District.

P Beckman stated that the lot of the subject property is steep and there is no other level area on which to situate a shed. The applicant is disposing of a dilapidated shed and replacing it with a new structure. P Beckman stated that this proposal is consistent with the Plan of Conservation and Development.

**MOTION** made by P Beckman to approve a Variance for **Application No. 20-13** on behalf of Jeffrey Vernon, 57 West Avenue, Essex, CT, Assessor's Map 32, Lot 9, VR District, requesting variances to sections 40C, 40D, 50D, 40I.1 and 60B of the zoning regulations to allow a 12' x 20 shed to a point 8 feet from a side property line where a 25 feet is required. Also, to allow the building coverage to increase from 13% to 13.38% where 10% maximum building coverage is allowed; The hardship associated with this proposal is the topography of the land and recognizing that this proposal is consistent with Plan of Conservation and Development. This proposal is approved in accordance with the plans submitted; **SECONDED** by B Sarrantonio; **IN FAVOR:** W T Furgueson, W Feirer, B Sarrantonio, P Beckman, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

### **4. New Business**

There was no new business.

## 5. Old Business

Approval of Minutes – May 19, 2020.

**MOTION** made by W T Furgueson to approve the May 19, 2020 Minutes with following amendments: 1) Page 2, third line, insert the word “request”, to read, “the variance request is based”; 2) Page 3, middle of page, sentence starting with “P Beckman”, add; “more from the property line”; 3) Page 2, paragraph at bottom of page, starting at second line, should read: "...high utility shed to a new location where; the soffit corners are 5' at the closest point and 6'2" at the furthest point from the property line, the shed is turned approximately 90 degrees {remove "and"} so {remove "it is in"} its axis is parallel with the side of an existing garage, and such that the corner of the shed aligns with the corner of the garage; and also to relocate a propane tank from..."

**SECONDED** by W Feirer; **IN FAVOR: FAVOR:** W T Furgueson, W Feirer, B Sarrantonio, G Wendell, R Rybak, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 6-0-0.

### a. Other

There was no other business.

## 6. Correspondence and Invoices

There was no correspondence and there were no invoices.

## 7. Adjournment

**MOTION** made by W T Furgueson to adjourn the meeting at 7:34p.m.to the next regularly scheduled meeting which will be held on Tuesday, July 21, 2020 at 7:00 p.m. at the Essex Town Hall, Conference Room A, 29 West Avenue, Essex, CT; **SECONDED** by W Feirer; **IN FAVOR: FAVOR:** W T Furgueson, W Feirer, B Sarrantonio, G Wendell, R Rybak, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 6-0-0.

Respectfully submitted,

*Stella A. Caione*

Stella A. Caione, Recording Clerk