



TOWN OF ESSEX
Zoning Board of Appeals

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

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

Regular Members
B. Sarrantonio
Philip J Beckman

Alternate Members
George Wendell
Richard Rybak
Susan Feaster

Unapproved

Minutes
November 16, 2021 – 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, November 16, 2021 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 Feirer, P Schaller, B Sarrantonio, P Beckman, G Wendell, and S Feaster.

Commission members seated were: P Schaller, P Beckman, B Sarrantonio and W Feirer.

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

Vice Chairman W Feirer 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.

2. Public Hearing

Application No. 21-43 on behalf of Jonathan and Michele Carlisle, 39A River Road, Essex, CT, Assessor's Map 10 Lot 19, RU District, requesting variances to sections 40D, 40E, and 40N, of the zoning regulations to construct a patio to be located to the property line and retaining wall where 10 feet is required.

Seated for this application were W Feirer, P Schaller, P Beckman, B Sarrantonio, S Feaster.

This application is to install a patio to be located to the property wall and retaining wall where 10 feet is required. The lot is 1.12 acres and the access drive divides the lot into two sections. The rear yard slopes towards the Falls River Cove.

The proposed location of the patio is around the pool along the western side of the house requires a reduction in the setback due to the topography of the land.

The CT River Gateway Commission reviewed the original application and requested:

1. Minimal tree removal to occur
2. Any draining of the pool to be directed to the front area of the dwelling and not to Falls River Cove.

The placement of the patio will not be visible from the River.

Previous variance requests: ZBA #19-31 December 17, 2019; #21-38 September 21, 2021

Jonathan Carlisle who presented on behalf of this petition stated that the property is situated on a constrained site. To the rear of the property there is a steep bank going down to the Falls River. The front of the property is a turn-around, a septic system, a road, and a meadow that is deed restricted to any kind of structure. On the other side of the front property is a well and driveway pavement making location on which to situate this proposal limited. This is a request to install a hardscape between the 10-foot setback from the property line and up to the retaining wall, which is virtually touching the property line. The outdoor equipment is next to the house creating an obstacle. J Carlisle stated that this proposal creates no impact on the neighbor, and the hardscape will be installed at a lower level to the house. There will be no visual negative impact. The hardship associated with this proposal is the topography of the land and that it is a highly constrained site.

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

A letter from the CT River Gateway Commission received on behalf of this application determining that the approval of the requested variance would not result in development that would pose an unacceptable adverse impact to the natural and traditional riverway scene. As with the previously approved application for the pool itself, the applicant should avoid taking down any trees that do not absolutely have to be removed because of construction of the pool or the surrounding hardscape.

There was no further public comment and no further comment from the Board.

MOTION made by P Beckman to close the public hearing on **Application No. 21-43** on behalf of Jonathan and Michele Carlisle, 39A River Road, Essex, CT, Assessor's Map 10 Lot 19, RU District, requesting variances to sections 40D, 40E, and 40N, of the zoning regulations to construct a

patio to be located to the property line and retaining wall where 10 feet is required at 7:19p.m.; **SECONDED** by P Schaller; **IN FAVOR:** B Sarrantonio, W Feirer, P Schaller, P Beckman, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

Application No. 21-44, 26 Falls River Drive, Assessor's Map 36 Lot 13, District: Rural Residence - Multifamily District (RUM). Applicant/Owner(s): Gerald Alessandrini
This application is to construct a detached 12' X 20' garage to be located 20 feet from the property line where 40 feet is required. The lot is 0.62 acres, is nonconforming, and has two front setbacks (Falls River Drive and West Hills Road). Continued to the December 21, 2021 meeting.

2. Regular Meeting

Application No. 21-43 on behalf of Jonathan and Michele Carlisle, 39A River Road, Essex, CT, Assessor's Map 10 Lot 19, RU District.

MOTION made by S Feaster to approve a Variance **Application No. 21-43** on behalf of Jonathan and Michele Carlisle, 39A River Road, Essex, CT, Assessor's Map 10 Lot 19, RU District, requesting variances to sections 40D, 40E, and 40N, of the zoning regulations to construct a patio to be located to the property line and retaining wall where 10 feet is required. The hardship associated with this proposal is the topography of the land, the limited lot size and positioning. The homeowner will follow the direction of the CT River Gateway Commission. This proposal is approved in accordance with plans as submitted; **SECONDED** by P Beckman; **IN FAVOR:** B Sarrantonio, W Feirer, P Schaller, P Beckman, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

3. Old Business

Approval of Minutes – October 19, 2021

MOTION made by W Feirer to approve the October 19, 2021 Minutes as presented; **SECONDED** by P Schaller; **IN FAVOR:** B Sarrantonio, P Schaller, P Beckman, W Feirer, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

Correspondence and Invoices

There was no correspondence and there were no invoices.

4. Adjournment

MOTION made by B Sarrantonio to adjourn the meeting at 7: 29pm to the next regularly scheduled meeting which will be held on Tuesday, December 21, 2021 at 7:00 p.m., at the Essex

Town Hall, in Meeting Room A, and accessible via online. Refer to Town of Essex website for the Zoom link and related information; **SECONDED** by S Feaster; **IN FAVOR:** B Sarrantonio, W Feirer, P Schaller, P Beckman, S Feister, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 6-0-0. **Discussion:** No further discussion.

Respectfully submitted,
Stella A Caione