



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
February 15, 2022 – 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, February 15, 2022 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, B Sarrantonio, P Beckman, G Wendell, and S Feaster.

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

Chairman W T Furgueson 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

W T Furgueson noted that **Application No. 21-46** on behalf of Essex House, LLC, **63 South Main Street, Essex, CT**, Assessor's Map 46 Lot 33, RU District has been withdrawn per a letter sent to the board.

Application No. 22-01 on behalf of Larry Robert and Carolyn Wiltshire Timmerman, **1 Primrose Ledge, Essex, CT**, Assessor's Map 25 Lot 1-1, RU District, requesting variances to Sections 40C, 40D, 40E, 40I.1, and 61B for an addition to be located 31 feet from the property line where 40 feet is required.

Seated for this application, W T Furgueson, B Sarrantonio, W Feirer, P Beckman, and S Feaster.

Bob Doane, Engineer presented on behalf of this application. This application is for an addition to an existing house for a live-in caretaker, to be located 31 feet from the property line where 40 feet

is requested. The lot is 1.42 acres (61855 sq ft), is nonconforming (required acreage is 1.8 acres or 80,000 sq ft). The addition includes a bedroom and entrance way. Wetlands are located on the property and the proposed location of the addition was an attempt to avoid the 100 foot upland review area from the wetlands. One hardship is the location of the house which was built in the 1950s.

B Sarrantonio asked why the addition was not located on the northern side of the house. B Doane explained that there is a 100 foot upland review area on that portion of the property that would be encroached upon. He also explained that a conservatory is located in that area of the house which makes it difficult to add on.

B Doane provided a sketch showing the proposed elevation.

P Beckman asked why the addition couldn't be added as a second floor. B Doane explained the property owner would like to maintain first floor living.

G Wendell explained that a hardship is needed for a variance to be granted. He pointed out that there appears to be room behind the house where the addition could be added that would not encroach on setbacks.

B Sarrantonio stated she had concerns with the proposal and asked about converting existing parts of the house to a bedroom.

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

There were no letters submitted on behalf of this application.

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

MOTION made by W T Furgueson to close the public hearing for **Application No. 22-01** on behalf of Larry Robert and Carolyn Wiltshire Timmerman, **1 Primrose Ledge, Essex, CT**, Assessor's Map 25 Lot 1-1, RU District, requesting variances to Sections 40C, 40D, 40E, 40I.1, and 61B for an addition to be located 31 feet from the property line where 40 feet is required; **SECONDED** by W Feirer; **IN FAVOR:** W T Furgueson, B Sarrantonio, W Feirer, P Beckman, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

2. Regular Meeting

- **Application No. 22-01** on behalf of Larry Robert and Carolyn Wiltshire Timmerman, **1 Primrose Ledge, Essex, CT**, Assessor's Map 25 Lot 1-1, RU District

W T Furgueson stated that there was a lack of a hardship. B Sarrantonio said that the hardship appeared to be an attempt to reduce incursions into the wetland review area. S Feaster stated that the proposed addition lacked forethought. P Beckman stated that it seems there are other options for where an addition could occur that would not need a variance.

MOTION made by W T Furgueson to deny issuance of a variance for **Application No. 22-01** on behalf of Larry Robert and Carolyn Wiltshire Timmerman, **1 Primrose Ledge, Essex, CT**, Assessor's Map 25 Lot 1-1, RU District, requesting variances to Sections 40C, 40D, 40E, 40I.1, and 61B for an addition to be located 31 feet from the property line where 40 feet is required; **SECONDED** by S Feaster; **IN FAVOR:** W T Furgueson, W Feirer, P Beckman, S Feaster; **OPPOSED:** B Sarrantonio; **ABSTAINING:** None; **MOTION CARRIED** 4-1-0. **Discussion:** No further discussion.

3. Old Business

Approval of Minutes – January 18, 2022

MOTION made by W T Furgueson to approve the January 18, 2022 Minutes **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Beckman, W Feirer, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

4. New Business

- Discussion regarding updating ZBA Variance Application

C Duques distributed draft copies of the Variance Application, Application Guide and Application for appealing a ZEO's decision. A brief discussion ensued related to the verbiage and content. C Duques and S Rutkowska will review the applications and guide and will provide updated versions for the next meeting.

5. Correspondence

There was no correspondence and there were no invoices.

6. Adjournment

MOTION made by W T Furgueson to adjourn the meeting at 7:40 pm to the next regularly scheduled meeting which will be held on Tuesday, March 15, 2022 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 B Sarrantonio; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Beckman, W Feirer, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

Respectfully submitted,

Carey Duques, Land Use Official