



TOWN OF ESSEX
Zoning Board of Appeals

Executive Committee
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

Minutes
April 19, 2022 Zoning Board of Appeals

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday April 19, 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 S Feaster, WT Furgueson, P Schaller, B Sarrantonio, P Beckman, G Wendell, R Rybak

Staff Present: Danielle Sanso, Substitute Recording Clerk
Sylvia Rutkowska, ZBA Legal Counsel

Public Present: Brooke Girty- Representing 22-02 Applicant
Michael Sulzbach- Attorney
Elizabeth Jardin- 22-03 Applicant
Douglas Chan- 22-02 Applicant

The meeting was called to order at 7:00 PM by Chairman WT Furgueson.

Chairman WT Furgueson welcomed everyone to the April 19, 2022 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 Hearings

- a. **Application No. 22-02** on behalf of Douglas and Sharon Chan, **11 Clark Lane, Essex, CT** Assessor’s Map 17 Lot 12, RU District, requesting variances to Sections 40C, 40D, 40E, and 101E for replacement of existing single-family home with a new single-family home that is more code complying but is located within 100 feet of the coastal jurisdiction line the Gateway Buffer Area.
(Continued from March 15, 2022)

Architect Brooke Girty was in attendance representing the applicant.

B Girty stated that there are 3 ways that they are reducing the non-conformity from the current house. The first non-conformity, they are eliminated is that the current house is in the side setback. The second is that the setback is CJL. The existing house is almost entirely in the setback. The proposed house is almost all of the way out of the setback. The last variance is the height. The proposed house is designed to fit the 35 feet but the applicants would like a basement access to bring in boats. The stairs going down into the basement brings us over the height. We are reducing the height by 5 feet (existing house is non-conforming in height. From 44 feet to 39.79)

She went on to say that the original house is very dark inside. She also said that when the proposed house (and garage) were designed they angled the garage to get it out of the setback with the Land Trust. She does not believe the house can be seen from the road.

Next, attorney Michael Sulzbach spoke. He said that the basis for our legal hardship is not being able to see the water at all if the house was 100% compliant. We have reduced a lot of very significant nonconformity and the proximity to critical coastal resources. The only area where we need a variance for the height above sea level is the depression for basement access.

Gateway letter was read to the board by W T Furgueson. The letter requests that the structure be a darker muted color to blend in with the surrounding terrain. They also requested the planting of trees to help hide the new structure and a 50 foot required vegetation buffer.

A letter from the Wetlands Commission was read and suggested that hay bales be added to the silt fence and that they should be properly installed and maintained throughout the project.

MOTION made by WT Furgueson to close the public hearing; **SECONDED** by B Sarrantonio; **IN FAVOR:** T Furgueson, P Schaller, P Beckman, B Sarrantonio, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion

- b. **Application No. 22-03** on behalf of Elizabeth Jardine, **20 Meadow Woods Road, Essex, CT** Assessor's Map 6 Lot 17, RU District, requesting a variance to Sections 40C, 40D, 40E, and 61B for placement of a 4' X 8' shed 20 feet from the front property line where 40 feet is required.

Applicant Elizabeth Jardine was in attendance to present her case.

E Jardin started by saying that she brought a very small house that is 500 square feet with no outbuildings and no basement and that she needs place to store things. The wetlands just touch the edge of her property. She would like to put a shed next to the house along the driveway. The topography of the land is one of the hardships. There are some level spots but that is where the leaching field and rock ledge are. Anything in the front is in the setback and there is not much room to the sides.

The shed requires about 1 foot around and will be located roughly 5.5 feet off the north side of the house. It will be no closer to the road than the front of the house. It will be painted the same color as the house (white)

The Gateway letter was read to the Board and stated that they had no objections or recommendations associated with the application

MOTION made by WT Furgueson to close the public hearing; **SECONDED** by G Beckman; **IN FAVOR:** T Furgueson, P Schaller, P Beckman, B Sarrantonio, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion

2. Regular Meeting

a. **Application No. 22-02** on behalf of Douglas and Sharon Chan, **11 Clark Lane, Essex, CT**

WT Furgueson stated that he does not see an issue. They are reducing quite a few nonconformities.

MOTION made by P Beckman to approve based on the elimination of the side setback non conformity and the reduction of the waterland incursion/coastal jurisdiction line. In line with the plan of conservation and development. Subject to the conditions set in the Gateway and the IWWC letter; **SECONDED** by WT Furgueson; **IN FAVOR:** T Furgueson, P Schaller, P Beckman, B Sarrantonio, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion

b. **Application No. 22-03** on behalf of Elizabeth Jardine, **20 Meadow Woods Road, Essex, CT Old Business**

MOTION made by WT Furgueson to approve application 22-03 for 20 Meadow Woods Road with the following conditions: The shed will not extend past 6 feet to the north and no further than 4 feet from the street; **SECONDED** by P Schaller; **IN FAVOR:** T Furgueson, P Schaller, P Beckman, B Sarrantonio, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion

3. Approval of Minutes – March 15, 2022

MOTION made by WT Furgueson to approve the March 15, 2022 Regular Meeting Minutes; **SECONDED** by P Schaller; **IN FAVOR:** S Feaster, W T Furgueson, P Schaller, B Sarrantonio, P Beckman, G Wendell, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 7-0-0. **Discussion:** No further discussion

4. New Business

None

5. Correspondence

None

6. Adjournment

MOTION made by WT Furgueson to adjourn the meeting at 7:30 pm until the next regularly scheduled meeting which will be held on Tuesday, May 17, 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 P Schaller; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Beckman, W Feirer, P Schaller; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

Respectfully Submitted,



Danielle Sanso