



TOWN OF ESSEX  
**Zoning Board of Appeals**

**Executive Board**

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

---

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**  
**October 20, 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, October 20, 2020 at 7:00 p.m. This meeting was made available to the public via Zoom at <https://us02web.zoom.us/j/87670314230?pwd=UUtIYWY0d3czNFdkZW84MEN0cWdodz09> Meeting ID: 876 7031 4230 Meeting Password: 074258

EZBA Chairman W T Furgueson welcomed everyone to the Essex Zoning Board of Appeals public access meeting which was conducted via Zoom platform.

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, W Feirer, B Sarrantonio, P Schaller, P Beckman.

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

Audience: There were three audience members present. .

**2. Public Hearing**

- **Application No. 20-20** on behalf of Terri Allegrucci, 3 South Cove Lane, Essex, CT, Assessor's Map 74, Lot 4, RU District, requesting variances to sections 40D, 40E, 50D, 40I.1 and 61B of the zoning regulations to allow for a dormer on a portion of the house that is within the front building setback area. Also to allow a 15' x 21.5' deck within two side setback areas. Also, to allow the building coverage to increase from 13.3% to 16.5% where 15% is the maximum allowed.

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

This application was continued from the September 2020 ZBA meeting.

The home subject to this application is located in the RR District and is an existing non-conforming structure as it is located within front rear and side setbacks.

T Allegrucci who presented on behalf of this application stated this is a small corner lot and any external improvement would require a variance. T Allegrucci is looking to install 2 shed dormers and she noted that there will be no increase to the footprint. This proposal also includes the construction of an open side deck which will be situated in the same location as the existing patio, which is situated in the setback. The elevation will be the same as that as the first floor of the house.

This proposal creates a needed safety feature by making the home more handicap accessible for safe traverse of Ms. Allegrucci's aging mother.

J Budrow, zoning enforcement officer noted at the September meeting that it is permissible to create a bedroom with shower over the garage as it is accessible only by entering through the house. There is no external staircase or exit from this room.

The property is situated within the CT River Gateway zone and as such the CT River Gateway Commission was not previously provided with an opportunity to rule on this proposal at the September 2020 meeting. However, Gateway Commission has since submitted a letter stating no opposition in the granting of a variance on behalf of this application.

W T Furgueson asked if anyone wished to speak in favor or in opposition to this application. There was no public comment.

There was no further comment from the Board.

**MOTION** made by W T Furgueson to close the public on **Application No. 20-20** on behalf of Terri Allegrucci, 3 South Cove Lane, Essex, CT, Assessor's Map 74, Lot 4, RU District, to the October 20, 2020; **SECONDED** by P Beckman; **IN FAVOR:** W. T. Furgueson, W Feirer, B Sarrantonio, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

- **Application No. 20-21** on behalf of Joseph Zaraschi, 8 Sunset Terrace, Assessor's Map 33, Lot 19-1, VR District, requesting a variance to sections 40 C 40D, 40I.1 & 60B of the zoning regulations for a detached garage to a point 15 feet from the side setback line where 25 feet is required.

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

This application was continued from the September 2020 ZBA meeting.

Joseph Zaraschi who presented on behalf of this application stated that he has met with J Budrow regarding this proposal and discussed the alignment of this structure to coincide with the existing garage, and the location of the vehicle turn-around area. This structure will be a post and beam construction and the concrete Sonitubes will be situated under the building. The requested 15-foot allowance will provide the opportunity to locate the Sonitubes in a stable area that will support the structure. J Zaraschi noted that there is a good deal of ledge in the area and he would benefit from the allowance of additional footage in the northerly direction in order to work around ledge.

The hardship associated with this proposal is the ledge and the topography of the land leaving few options for the location of the garage.

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

Donna Foote, adjacent property owner stated that J Zaraschi's request for allowance of additional footage will infringe on her property. D Foote stated her opposition to this proposal.

T Furgueson clarified with J Budrow that the existing building owned by J Zaraschi does not sit on the property of D Foote nor is it on the right-of-way.

J Zaraschi stated that his property line 16 feet off of the stone wall as noted on the survey map and his driveway is situated on his property. J Zaraschi noted that there is a small triangular area that is an easement/right-of-way that he obtained from the previous owner. The shared driveway is owned by Mr. Scott for which J Zaraschi and D Foote have been granted right-of-way to traverse over in order to access their property.

A lengthy discussion ensued.

There was no further comment from the Board.

**MOTION** made by W Feirer to close the public hearing on **Application No. 20-21** on behalf of Joseph Zaraschi, 8 Sunset Terrace, Assessor's Map 33, Lot 19-1, VR District; **SECONDED** by W T Furgueson; **IN FAVOR:** W. T. Furgueson, W Feirer, B Sarrantonio, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.**

### **3. Regular Meeting**

- **Application No. 20-20** on behalf of Terri Allegrucci, 3 South Cove Lane, Essex, CT, Assessor's Map 74, Lot 4, RU District

**MOTION** made by W T Furgueson to approve a Variance for **Application No. 20-20** on behalf of Terri Allegrucci, 3 South Cove Lane, Essex, CT, Assessor's Map 74, Lot 4, RU District, requesting variances to sections 40D, 40E, 50D, 40I.1 and 61B of the zoning regulations to allow for a dormer on a portion of the house that is within the front building setback area. Also to allow a 15' x 21.5' deck within two side setback areas. Also, to allow the building coverage to increase from 13.3% to 16.5% where 15% is the maximum allowed; The hardship surrounds the building on this property which is somewhat aged and somewhat substandard in size. The dormers do not infringe on

anything that would create problems for the adjacent property owners, and the deck covers the existing patio. This proposal creates minimal impact to the neighbors; This proposal is approved in accordance with the plans as submitted; **SECONDED** by W Feirer; **IN FAVOR:** W. T. Furgueson, W Feirer, B Sarrantonio, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.**

- **Application No. 20-21** on behalf of Joseph Zaraschi, 8 Sunset Terrace, Assessor's Map 33, Lot 19-1, VR District, requesting a variance to sections 40 C 40D, 40I.1 & 60B of the zoning regulations for a detached garage to a point 15 feet from the side setback line where 25 feet is required.

Brief discussion related to the uniqueness and the topography of the lot and the possible hardship surrounding this application.

**MOTION** made by W Feirer to deny a Variance for **Application No. 20-21** on behalf of Joseph Zaraschi, 8 Sunset Terrace, Assessor's Map 33, Lot 19-1, VR District, requesting a variance to sections 40 C 40D, 40I.1 & 60B of the zoning regulations for a detached garage to a point 15 feet from the side setback line where 25 feet is required, based on lack of hardship; **SECONDED** by W. T. Furgueson; **IN FAVOR:** W. T. Furgueson, W Feirer, P Schaller, P Beckman; **OPPOSED:** B Sarrantonio; **ABSTAINING:** None; **MOTION CARRIED 4-1-0.**

#### **4. New Business**

Proposed Zoning Regulation 140E, Referral to IWWC

This regulation would allow the ZBA, when making a ruling on possible variance to Section 101E, to forward a referral to the IWWC for comment. ZBA members were in favor of amending the regulations to include the suggested language.

#### **5. Old Business**

**Approval of Minutes – September 15, 2020.**

**MOTION** made by W T Furgueson to approve the October 20, 2020 Minutes; **SECONDED** by P Schaller; **IN FAVOR:** W. T. Furgueson, W Feirer, B Sarrantonio, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0.**

##### **a. Other**

There was no other business.

#### **6. Correspondence and Invoices**

There was no correspondence.

#### **7. Adjournment**

**MOTION** made by W Feirer to adjourn the meeting at 8:40p.m.to the next regularly scheduled meeting which will be held on Tuesday, November 17, 2020 at 7:00 p.m. location TBD; **SECONDED** by W T Furgueson; **IN FAVOR:** W. T. Furgueson, W Feirer, B Sarrantonio, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

Respectfully submitted,

*Stella A. Paione*

Stella A. Caione, Recording Clerk