

TOWN OF ESSEX
Zoning Board of Appeals

Executive Board

Stu Ingersoll, Chairman

Doug Demarest, Vice Chairman

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

Regular Members

Al Daddona

Michael Noto

Paul Greenberg

Alternate Members

Lynne Faulstick

W. T. Furgueson

William Veillette

Record of the Vote
August 20, 2013 – Public Hearing and Regular Meeting

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, August 20, 2013 at 7:30 p.m. in Room A of the Essex Town Hall.

Attending Members:

Doug Demarest, Vice Chair

Al Daddona, Regular Member

Paul Greenberg, Regular Member

Michael Noto, Regular Member

William Veillette, Alternate Member

Absent Members:

Stu Ingersoll, Chair

W. T. Furgueson, Alternate

Lynn Faulstick, Alternate

Staff:

Michael Wells, Legal Counsel to the Board

Stella Beaudoin, Recording Secretary

Mr. Veillette was not seated for the meeting.

Mr. Demarest called the meeting to order at 7:30 p.m.

- **MOTION** to grant a Variance to **Application 13-13** on behalf of Terry Mulcahey for Christine Gemelli at 19 Mallard Point Road, Essex, CT, Assessor's Map 71, Lot 18-1, RU District, requesting variances to sections 40E, 40I.1, 50D and 61B of the Essex zoning regulations to allow a dormer to be constructed on a garage that is within a rear and side setback area. The restriction placed on this Variance is that this space will not be used for a bedroom unless further application is made, as required, to the Essex Zoning Commission and the Essex Sanitarian. The hardship associated with this application is the nonconforming lot. This Variance is approved based on the plans as submitted dated 07/17/2013; **MADE** by M. Noto; **SECONDED** by P. Greenberg; **No Discussion: IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 4-0-0.
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- **MOTION** to grant a Variance to **Application No. 13-14** on behalf of the Essex Library Association, at 33 West Street, Essex, CT, Assessor's Map 32, Lot 21, VR District, requesting variances to sections 40C, 40D, 40I.1 and 60B of the Essex zoning regulations to allow an 8' x 12' shed to be located 15 feet from a front property line where 30 feet is required. Also, to allow the building coverage to increase from 33% to 33.3% where 7.5% is the maximum coverage allowed. The shed will be placed in the location as reflected on the diagram presented at this evening's meeting. The hardship associated with this proposal is the physical constraints of the land. This Variance is approved based on the plans as submitted, subject to the drawing of the shed as was submitted at the 8/20/2013 meeting, and the Doane-Collins Engineering modified plan of 09/01/2006; **MADE** by M. Noto; **SECONDED** by P. Greenberg; **No Discussion**: **IN FAVOR**: A. Daddona, P. Greenberg, D. Demarest, M. Noto; **OPPOSED**: None; **ABSTAINING**: None; **APPROVED**: 4-0-0.

MOTION to grant a Variance to **Application 13-15** on behalf of Harold Reed, at 7 North Main Street, Essex, CT, Assessor's Map 47, Lot 118, VR District, requesting a variance to section 40D, 40E, 40I.1, 50D and 60B of the Essex zoning regulations to allow the replacement of a deck with a larger 8' x 10' deck within each side setback area. Also, to increase building coverage from 23.2% to 23.49% where 7.5% is the maximum allowed. In order to build the deck the applicant must construct a carrying beam. The hardship associated with this proposal is the safety issue of the deck. There is a minimum increase of the coverage. This Variance is approved based on the plans as submitted; **MADE** by A. Daddona; **SECONDED** by M. Noto; **No Discussion**: **IN FAVOR**: A. Daddona, P. Greenberg, D. Demarest, M. Noto; **OPPOSED**: None; **ABSTAINING**: None; **APPROVED**: 4-0-0.

MOTION to grant a Variance to **Application 13-16** on behalf of John Fitzgerald, at Lot #5 on Heron Pond Road, Essex, CT, Assessor's Map 74, Lot 1-5, RU District, requesting a variance to section 40C, 40D, 40J and 61B of the Essex zoning regulations to allow a new single family dwelling to come to a height of 41' 6" where 35 feet is the maximum height allowed. The variance is approved based on the fact that walkout basement is unfinished and will remain unfinished. The walkout is not visible from the road. The CT River Gateway Commission is not opposed to this proposal. This Variance is approved based on the plans as submitted dated 7/2/2013; **MADE** by P. Greenberg; **SECONDED** by A. Daddona; **No Discussion**: **IN FAVOR**: A. Daddona, P. Greenberg, D. Demarest, M. Noto; **OPPOSED**: None; **ABSTAINING**: None; **APPROVED**: 4-0-0.

MOTION to grant a Variance to **Application 13-17** on behalf of Mark P. and Maryanne Ruckes Watson, at 34 South Main Street, Essex, CT, Assessor's Map 46, Lot 48, VR District, requesting variances to sections 40D, 40E, 50D and 60B of the Essex zoning regulations to allow a 261 square foot addition that will increase the building coverage 10.4% where 7.5% is the maximum coverage allowed. This proposal involves a minor increase in coverage and the addition will not be visible from the street. The hardship associated with this proposal is the change in the Zoning Regulations as they relate to the 7.5% coverage requirement. This Variance is approved based on the plans as submitted and dated 7/2/2013; **MADE** by A. Daddona; **SECONDED** by P. Greenberg; **IN FAVOR**: S. Ingersoll, A. Daddona, P. Greenberg, D. Demarest, M. Noto; **OPPOSED**: None; **ABSTAINING**: None; **APPROVED**: 4-0-0.

MOTION to grant a Variance to **Application 13-18** on behalf of Myron Stacks, at 42 North Main Street, Essex, CT, Assessor's Map 27, Lot 66, VR District requesting a variance to sections 40C, 40D, 40I.1 and 60B to locate an 8' x 12' shed to a point 9 feet from a side

property line where 25 feet is required. Also, to increase the building coverage from 13.2% to 13.76% where 7.5% is the maximum allowed. The hardship associated with this proposal is the nonconforming lot and the minor increase in coverage. The proposed area on which the shed will be situated is the only location on which it can be constructed. This Variance is approved based on the plans as submitted dated 07/02/2013; **MADE** by P. Greenberg; **SECONDED** by A. Daddona; **No Discussion: IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 4-0-0.

MOTION to approve the July 16, 2013 meeting Minutes as presented; **MADE** by M. Noto; **SECONDED** by P. Greenberg; **No discussion: IN FAVOR:** A. Daddona, P. Greenberg, D. Demarest, M. Noto; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

MOTION made to adjourn the meeting at 8:55 p.m. to the next regularly scheduled meeting to be held on Tuesday, September 17, 2013 at the Essex Town Hall, Conference Room A, 29 West Avenue, Essex, CT; **MADE** by A. Daddona; **SECONDED** by D. Demarest; **No discussion: VOTING IN FAVOR:** S. Ingersoll, A. Daddona, P. Greenberg, D. Demarest, M. Noto; **OPPOSED:** None; **ABSTAINING:** None; **APPROVED:** 5-0-0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary