

TOWN OF ESSEX
Zoning Board of Appeals

Executive Board

*Paul Greenberg, Chair
Vacancy, Vice Chair*

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Regular Members

*Barbara Sarrantonio
W. T. Fergusson
William Veillette
Ward Feirer*

Alternate Members

*Peter Decker
Philip J. Beckman
George Wendell
Richard Rybak*

RECORD OF THE VOTE

October 18, 2016 – Public Hearing and Regular Meeting

The Essex Zoning Board of Appeals conducted a special meeting on Tuesday, October 18, 2016 at 7:00 p.m. in Room A of the Essex Town Hall. Attending Members were P. Greenberg, B. Sarrantonio, W Feirer, R. Rybak, Alternate, seated for a portion of the meeting, P. Beckman, Alternate seated for the meeting and G. Wendell, Alternate seated for the meeting.

MOTION to continue with the agreement of the applicant, consideration of **Application No. 16-24** on behalf of Dana McFadden, 22 Mack Lane, Essex, CT, Assessor's Map 46, Lot 31, VR District, requesting a variance to section 40Q of the zoning regulations to allow a swimming pool to a point 13' from a property line where 20 feet is required; **MADE** by P. Beckman **SECONDED** by W Feirer; **IN FAVOR:** P. Greenberg, B. Sarrantonio, W. Feirer, G. Wendell, P. Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

MOTION to grant approval to **Application No. 16-27** on behalf of Julie Frazier, 125 Main Street, Ivoryton, CT, Assessor's Map 57, Lot 72, VR District, requesting a variance to section 40D, 40E, 40I.1, 50D and 60B of the zoning regulations to locate a 12' x 16' house addition to a point 10 feet 6 inches from a side property line where 25' is required. Also, to allow an increase in the building coverage from 13.8% to 14.4% where 10% is the maximum coverage allowed. The hardship associated with this proposal is that the structure was conforming when originally built and then made nonconforming by the zoning regulations. The entire lot is extremely narrow and there is no buildable area on the lot. The Variance is approved in accordance with the plans presented; **MADE** by G. Wendell **SECONDED** by P. Beckman; **IN FAVOR:** P. Greenberg, B. Sarrantonio, W Feirer, G. Wendell, P. Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

MOTION to grant a variance to **Application No. 16-28** on behalf of Jessica Chmura, 126 Main Street, Centerbrook, CT, Assessor's Map 43, Lot 85-1, VR District, requesting a variance to section 40C, 40D, 40E, 40I.1, 50D and 60B of the zoning regulations to locate a new 20' x 24' detached garage to a point 5' from a side property line where 25' is required. In this proposal, three of the nonconforming buildings will be removed and replaced with one, and the construction of the proposed garage on the back side of the property would impinge on the septic. The Variance is approved in accordance with the plans presented; **MADE** by G. Wendell **SECONDED** by B. Sarrantonio; **IN FAVOR:** P. Greenberg, B. Sarrantonio, G. Wendell, R. Rybak, P. Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

MOTION to grant a variance to **Application No. 16-29** on behalf of Leonard Wyeth, 9 Summit Street, Ivoryton, CT, Assessor's Map 40, Lot 22, VR District, requesting a variance to section 40D, 40I.1 and 60B of the zoning regulations to allow a ground-mounted solar array to a point 10' from a side property line where 25' is required. The hardship associated with this proposal is the topography of the property with mitigating circumstances; and that the owner is placing panels to the rear of the house and mitigating any impact to the aesthetics. There is a preference by the State of CT to encourage the use of solar technology and this proposal is consistent with the objectives of the State of CT. The Variance is approved in accordance with the plans presented; **MADE** by P. Beckman **SECONDED** by W Feirer; **IN FAVOR:** P. Greenberg, B. Sarrantonio, G. Wendell, W Feirer, P. Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

MOTION to deny a variance to **Application No. 16-30** on behalf of Lawrence and Kathleen Bolanowski, 18 Little Point Street, Essex, CT, Assessor's Map 31, Lot 14, VR District, requesting a variance to section 40D, 40E, 40I.1, 50D and 60B of the zoning regulations to allow a 300 square foot garage addition to a point 10', 4.5" from a front property line where 30' is required, and to a point 5' from a side property line where 25' is required. Also, to allow an increase in the building coverage from 18.3% to 18.9% where 10% is maximum coverage allowed. This application is denied based on the grounds that it increases the nonconformity in the sense that impinges further in the front yard setback then previously, which is not mitigated by the removal of the shed, and there are reasonable alternatives which were discussed this evening. There is no hardship associated with this proposal, as there is an alternative location; **MADE** by G Wendell; **SECONDED** by B. Sarrantonio; **IN FAVOR:** P. Greenberg, W. Feirer, B. Sarrantonio, G. Wendell, P. Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

MOTION to continue **Application No. 16-31** on behalf of Paul Cullina, 60 North Main Street, Ivoryton, CT, Assessor's Map 38, Lot 14, RU District, requesting a variance to section 40C, 40D, 40E, 40I.1, 50D and 61B of the zoning regulations to allow a new 20' x 30' detached garage to a point 25' from a side property line where 30' is required; **MADE** by W. Feirer **SECONDED** by B. Sarrantonio; **IN FAVOR:** P. Greenberg, B. Sarrantonio, G. Wendell, P. Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

MOTION to approve the September 27, 2016 Meeting Minutes with the following amendments: 1) Page 2, 3rd line, "*there was a significant ledge* on the left side of the property." 2) W. Feirer was not seated for Application #16-25; **MADE** by P. Beckman; **SECONDED** by G. Wendell; **IN FAVOR:** W. Feirer, P. Beckman, G. Wendell, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 4-0-0.

MOTION to adjourn the meeting at 9:00 p.m. to the next regularly scheduled meeting which will be held on Tuesday, November 15, 2016 at 7:00 p.m. at the Essex Town Hall, Conference Room A, 29 West Avenue, Essex, CT; **MADE** by W. Feirer; **SECONDED** by P. Beckman; **IN FAVOR:** W. T. Furgueson, W. Veillette, W. Feirer, G. Wendell, P. Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED:** 5-0-0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary