



TOWN OF ESSEX
Zoning Board of Appeals

Executive Board

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

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Regular Members

*B. Sarrantonio
Brian Weinstein*

Alternate Members

*Philip J. Beckman
George Wendell
Richard Rybak*

**Record of the Vote
January 19, 2021 – Zoning Board of Appeals**

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, January 19, 2021 at 7:00 p.m. This meeting was made available to the public via Zoom. Members present were WT Furgueson, B Sarrantonio, W Feirer, P Schaller, R Rybak, G Wendell.

MOTION made by W T Furgueson to close the public hearing **Application No. 21-1** on behalf of Margo Weitekamp, 24 Hemlock Drive, Essex, CT, Assessor's Map 74, Map 19, RU District, requesting variances to sections 40D and 101E of the zoning regulations to locate an 11' x 36' inground swimming pool within the Gateway Buffer Zone at 7:15pm; **SECONDED** by R Rybak; **IN FAVOR:** W T Furgueson, P Schaller, B Sarrantonio, R Rybak, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

MOTION made by W T Furgueson to close the public hearing on **Application No. 21-2** on behalf of Vin and Joan Falcigno, Jr, 44 North Main Street, Essex, CT, Assessor's Map 27, Lot 65, VR District, requesting variances to sections 40D, 40E, 50D and 60B of the zoning regulations to allow a new house addition to increase the building coverage from 11.1% to 12.5% where 10% is the maximum building coverage allowed at 7:32pm; **SECONDED** by W Feirer; **IN FAVOR:** W T Furgueson, P Schaller, W Feirer, B Sarrantonio, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

MOTION made by W T Furgueson to close the public hearing on **Application No. 21-3** on behalf of Gary and Diane Arnold, 8 Rachel Lane, Ivoryton, CT, Assessor's Map 86, Lot 5-2, RU District, requesting variances to sections 40C, 40D, 40E, 40I.1 and 61B of the zoning regulations to allow a 12' x 24' carport to be located to a point 27.3 feet from the side property line where 30 feet is required and 26.13 feet from the rear property line where 30 feet is required at 7:36pm; **SECONDED** by W Feirer; **IN FAVOR:** W T Furgueson, P Schaller, W Feirer, B Sarrantonio, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

MOTION made by W T Furgueson to close the public hearing on **Application No. 21-4** on behalf of Bertie Deming Heiner, 17 Mack Lane, Essex, CT, Assessor's Map 50, Lot 14-1, VR District, requesting variances to sections 40D and 101E of the zoning regulations to allow for a two patios, a swimming

pool and accessory pool equipment within the Gateway Buffer Zone at 8:14pm; **SECONDED** by W Feirer; **IN FAVOR:** W. T. Furgueson, W Feirer, P Schaller, B Sarrantonio, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

MOTION made by B Sarrantonio to approve a Variance for **Application #21-1** on behalf of Margo Weitekamp, 24 Hemlock Drive, Essex, CT, Assessor's Map 74, Map 19, RU District, requesting variances to sections 40D and 101E of the zoning regulations to locate an 11' x 36' inground swimming pool within the Gateway Buffer Zone; The hardship surrounding this application is that the property predates zoning and this proposal addresses a safety issue related to access to the basement. A variance is approved with the following condition; 1) the applicant will follow the direction of the wetlands enforcement agent and the guidance of the CT River Gateway Commission. This proposal is approved in accordance with the plans as submitted; **SECONDED** by R Rybak; **IN FAVOR:** W T Furgueson, P Schaller, B Sarrantonio, G Wendell, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** Approval is conditioned on compliance of IWWC requirements; submission by the applicant of a construction sequence and E & S control measures.

MOTION made by W Feirer to approve a Variance for **Application No. 21-2** on behalf of Vin and Joan Falcigno, Jr, 44 North Main Street, Essex, CT, Assessor's Map 27, Lot 65, VR District, requesting variances to sections 40D, 40E, 50D and 60B of the zoning regulations to allow a new house addition to increase the building coverage from 11.1% to 12.5% where 10% is the maximum building coverage allowed. The hardship associated with this application surrounds the re-location of the basement access which is currently situated outside of the home. This proposal is approved in accordance with the plans as submitted; **SECONDED** by B Sarrantonio; **IN FAVOR:** W T Furgueson, P Schaller, W Feirer, B Sarrantonio, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

MOTION made by W T Furgueson to approve a Variance for **Application No. 21-3** on behalf of Gary and Diane Arnold, 8 Rachel Lane, Ivoryton, CT, Assessor's Map 86, Lot 5-2, RU District, requesting variances to sections 40C, 40D, 40E, 40I.1 and 61B of the zoning regulations to allow a 12' x 24' carport to be located to a point 27.3 feet from the side property line where 30 feet is required and 26.13 feet from the rear property line where 30 feet is required. This application proposes a minimal incursion and the hardship surrounds the topography of the land. This proposal is approved in accordance with the plans as submitted; **SECONDED** by W Feirer; **IN FAVOR:** W. T. Furgueson, W Feirer, P Schaller, B Sarrantonio, R Rybak; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. No further discussion.

MOTION made by W Feirer to approve a Variance for **Application No. 21-4** on behalf of Bertie Deming Heiner, 17 Mack Lane, Essex, CT, Assessor's Map 50, Lot 14-1, VR District, requesting variances to sections 40D and 101E of the zoning regulations to allow for a two patios, a swimming pool and accessory pool equipment within the Gateway Buffer Zone. This proposal presents a reduction of nonconformities and provides an addition of vegetation. This variance is approved with the following condition; 1) the applicant will follow the direction of the wetlands enforcement agent and the guidance of the CT River Gateway Commission. This proposal is approved in accordance with the plans as submitted; **SECONDED** by W T Furgueson; **IN FAVOR:** W. T. Furgueson, W Feirer, P Schaller, B Sarrantonio, R Rybak; **OPPOSED:** None; **ABSTAINING:** None;

MOTION CARRIED 5-0-0. Discussion: Approval is conditioned on compliance of IWWC requirements; submission by the applicant of a construction sequence and E & S control measures.

MOTION made by W T Furgueson to approve the December 15, 2020 Minutes as presented; **SECONDED** by B Sarrantonio; **IN FAVOR:** W. T. Furgueson, W Feirer, P Schaller, B Sarrantonio, R Rybak, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 6-0-0.**

MOTION made by W T Furgueson to adjourn the meeting at 8:31 pm to the next regularly scheduled meeting which will be held on Tuesday, February 16, 2021 at 7:00 p.m., location TBD; **SECONDED** by W Feirer; **IN FAVOR:** W. T. Furgueson, W Feirer, P Schaller, B Sarrantonio, R Rybak, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 6-0-0.**

Respectfully submitted,

Stella A. Caione

Stella A. Caione, Recording Clerk