



TOWN OF ESSEX  
Zoning Board of Appeals

**Executive Board**  
*W. T. Furgueson, Chair*  
*W Feirer, Vice Chair*  
*Philip J Schaller, Secretary*

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**Regular Members**  
*B. Sarrantonio*  
*Philip J Beckman*

**Alternate Members**  
*George Wendell*  
*Richard Rybak*  
*Susan Feaster*

**Record of the Vote**  
**October 18, 2022 – Zoning Board of Appeals**

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, October 18, 2022 at 7:00 p.m. at the Essex Town Hall Auditorium and also public access via online through Zoom. Members seated were W T Furgueson, B Sarrantonio, W Feirer, P Schaller, P Beckman.

**Motion** by W T Furgueson to close public hearing on **Application No. 22-06** on behalf of Patrick and Susanna Smith, **50 Crosstrees Hill Rd, Essex, CT**, Assessor's Map 70 Lot 8, RU District, requesting variances to Sections 40D, 40E, and 101E for a pergola and greenhouse where a chicken coop was removed at 7:09 p.m. **Seconded** by P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

**Motion** W Feirer to close public hearing on **Application No. 22-07** on behalf of Kristine Thomas, **5 River Road, Essex, CT**, Assessor's Map 17 Lot 4, RU District, requesting variances to Sections 40C, 40D, 40E, 50D and 61B for an addition to an existing home to have a setback of 14.4 feet where 30 feet is required at 8:09 p.m. **Seconded** by W T Furgueson; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

**Motion** by W T Furgueson to close public hearing on **Application No. 22-11** on behalf of Kenneth and Laurie Burke, **13 Westwoods Road, Ivoryton, CT**, Assessor's Map 89 Lot 36-11, RU District, requesting variances to Sections 40D, 40E, and 40R to reconstruct a portion of the existing driveway 2 feet from the side property line where 5 feet is required at 8:22 p.m. **Seconded** by B Sarrantonio; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

**Motion** by W T Furgueson to pause the public hearing on **Application No. 22-12** on behalf of Robert Marley Brown and Kathleen Bragdon-Brown, **83 North Main Street, Essex, CT**, Assessor's Map 28 Lot 75, VR District, requesting variances to Sections 40C, 40D, 40E, 40I.1, 50D and 60B for a 16' X 25'6" new first floor single story 15.8 feet from the side property line and a 4' X 13' rear porch, 18 feet from the side property line where 25 feet is required and a proposed coverage of 17.9% where 10% is allowed; **Seconded** by P Beckman; **OPPOSED**: None; **ABSTAINING**: None; **MOTION CARRIED** 5-0-0. **Discussion**: No further discussion.

**Motion** by W T Furgueson to close public hearing on **Application No. 22-12** on behalf of Robert Marley Brown and Kathleen Bragdon-Brown, **83 North Main Street, Essex, CT**, Assessor's Map 28 Lot 75, VR District, requesting variances to Sections 40C, 40D, 40E, 40I.1, 50D and 60B for a 16' X 25'6" new first floor single story 15.8 feet from the side property line and a 4' X 13' rear porch, 18 feet from the side property line where 25 feet is required and a proposed coverage of 17.9% where 10% is allowed at 9:00 p.m. **Seconded** by W Feirer; **OPPOSED**: None; **ABSTAINING**: None; **MOTION CARRIED** 5-0-0. **Discussion**: No further discussion.

**Motion** by W T Furgueson to close public hearing on **Application No. 22-13** on behalf of Katherine C. and Colin D. Campbell, **6 Parker Terrace, Essex, CT**, Assessor's Map 32 Lot 11, VR District, requesting variances to Sections 40C, 40D, 40I.1, 50D, and 60B for a garden shed 12' X 18' to be 4 feet where 30 feet is required from the rear property line and a 10 square foot enclosure 8 feet where 25 feet is required and a new 24 square foot dormer over garage located within the setback, resulting in an increase in coverage of 12.6% where 10% is allowed at 8:57 p.m. **Seconded** by W Feirer; **OPPOSED**: None; **ABSTAINING**: None; **MOTION CARRIED** 5-0-0. **Discussion**: No further discussion.

**MOTION** made by P Beckman to approve a variance application for **Application No. 22-06** on behalf of Patrick and Susanna Smith, **50 Crosstrees Hill Rd, Essex, CT**, Assessor's Map 70 Lot 8, RU District, requesting variances to Sections 40D, 40E, and 101E for a pergola where a chicken coop was removed; The hardship associated with this application is based on reduction of the nonconformity, and recognizing that the greenhouse portion of this application has been withdrawn. This variance approval applies only to the pergola proposal. The applicant consents to the following conditions to the approval: (1) the pergola will be erected over a permeable surface (2) the pergola will be unlit and have vines growing on it. This proposal is approved in accordance with the plans as submitted; **SECONDED** by B Sarrantonio; **IN FAVOR**: W T Furgueson, B Sarrantonio, W Feirer, P Schaller, P Beckman; **OPPOSED**: None; **ABSTAINING**: None; **MOTION CARRIED** 5-0-0. **Discussion**: No further discussion.

**MOTION** made by W Feirer to find that Application No. 22-07 is an application to modify the 2016 approved variance ZBA #16-12, that the modification is a minor modification because it reduces the 2016 encroachment, and approve the Application in accordance with the plans as

submitted; **SECONDED** by B Sarrantonio; **IN FAVOR:** W T Furgueson, B Sarrantonio, W Feirer, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

**Discussion:** No further discussion.

**MOTION** made by P Beckman to approve a variance application for **Application No. 22-11** on behalf of Kenneth and Laurie Burke, **13 Westwoods Road, Ivoryton, CT**, Assessor's Map 89 Lot 36-11, RU District, requesting variances to Sections 40D, 40E, and 40R to reconstruct a portion of the existing driveway 2 feet from the side property line where 5 feet is required. The hardship associated with this application is topography of the land and the driveway reconstruction address a safety issue. This proposal is approved in accordance with the plans as submitted; **SECONDED** by W T Furgueson; **IN FAVOR:** W T Furgueson, B Sarrantonio, W Feirer, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0.

**Discussion:** No further discussion.

**MOTION** made by B Sarrantonio to approve a variance application for **Application No. 22-12** on behalf of Robert Marley Brown and Kathleen Bragdon-Brown, **83 North Main Street, Essex, CT**, Assessor's Map 28 Lot 75, VR District, requesting variances to Sections 40C, 40D, 40E, 40I.1, 50D and 60B for a 16' X 25'6" new first floor single story 15.8 feet from the side property line and a 4' X 13' rear porch, 18 feet from the side property line where 25 feet is required and a proposed coverage of 17.9% where 10% is allowed. This proposal is a reasonable addition, and it creates a reduction in nonconformity. In terms of coverage, there is not another reasonable location on the ground level for an addition. This proposal is approved in accordance with the plans as submitted; **SECONDED** by W Feirer; **IN FAVOR:** W T Furgueson, B Sarrantonio, W Feirer; **OPPOSED:** P Schaller, P Beckman; **ABSTAINING:** None; **MOTION DENIED** 3-2-0.

**Discussion:** No further discussion.

**MOTION** made by W T Furgueson to approve a variance application for **Application No. 22-13** on behalf of Katherine C. and Colin D. Campbell, **6 Parker Terrace, Essex, CT**, Assessor's Map 32 Lot 11, VR District, requesting variances to Sections 40C, 40D, 40I.1, 50D, and 60B for a garden shed 12' X 18' to be 4 feet where 30 feet is required from the rear property line and a 10 square foot enclosure 8 feet where 25 feet is required and a new 24 square foot dormer over garage located within the setback, resulting in an increase in coverage of 12.6% where 10% is allowed. The hardship associated with this application is the topography of the land, the applicant's attempt to appease the neighbors, and the installation of the dormer over the door mitigates a safety issue. This proposal is approved in accordance with the plans as submitted; **SECONDED** by W Feirer; **IN FAVOR:** W T Furgueson, B Sarrantonio, W Feirer, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

**MOTION** made by W T Furgueson to approve the September 20, 2022 Minutes with following amendments; 1) Page 2, last paragraph, notation that Hope Proctor was not present at the August meeting; 2) Page 2, correct spelling: “variance *for*”; 3) Page 3, paragraph 2, second line, 3<sup>rd</sup> word, strike the word “*further*”; 4) Page 3, 3<sup>rd</sup> paragraph, rephrase sentence to “*Discussion was had as to whether the applicant intended to abandon, should the current variance be granted.*” Next paragraph first two sentences should read “*Attorney Rutkowska stated that there is not a clear articulation of intention to abandon. Clarification was solicited as to whether the applicant is intending to abandon the 2016 variance, if this variance is granted*”; 5) Page 4, correct spelling of S Rutkowska name; 6) Page 4, 3<sup>rd</sup> paragraph, to read: “specifically lists in the *regulation*”; 7) Page 5, clarify 0.43 %. Page 5, correct the spelling of Joseph *Shea*; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarrantonio, W Feirer, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

**MOTION** made by W T Furgueson to adjourn the meeting at 9:57 pm to the next regularly scheduled meeting which will be held on Tuesday, November 22, 2022 at 7:00 p.m., at the Essex Town Hall and accessible via online. Refer to Town of Essex website for the Zoom link and related information; **SECONDED** by W Feirer; **IN FAVOR:** W T Furgueson, B Sarrantonio, W Feirer, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED** 5-0-0. **Discussion:** No further discussion.

Respectfully submitted,

Stella A Caione, Recording Clerk