



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
December 20, 2022 – Zoning Board of Appeals

The Essex Zoning Board of Appeals conducted their regularly scheduled meeting on Tuesday, December 20, 2022 at 7:00 p.m. at the Essex Town Hall, Meeting Room A and also public access via online through Zoom. Members in attendance were W T Furgueson, B Sarrantonio, P Schaller, P Beckman, S Feaster and G. Wendell.

MOTION by W T Furgueson to close public hearing on **Application No. 22-16** on behalf of Frank and Dorene Grasso, **1 River Road Essex**, appealing an alleged decision of the Zoning Enforcement Officer (ZEO) relating to variance #16-12 which was granted in 2016 for **5 River Road, Essex, CT**, Assessor's Map 70 Lot 8, RU District at 8:22 p.m. **SECONDED** by B Sarrantonio; **IN FAVOR:** W T Furgueson, B Sarantonio, P Schaller, P Beckman, G Wendell; **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. 22-17** on behalf of **Lawrence C Kaplan and Nora E Groce-Kaplan, 7 Dennison Road, Essex, CT**, Assessor's Map 17 Lot 34, VR District, requesting variances to Sections 40C, 40E, and 60B for a lot line revision resulting in the parcel becoming 0.62 acres from 0.72 acres where 1.3 acres or 60,000 sq ft is required at 7:15 p.m.; **SECONDED** by B Sarrantonio; **IN FAVOR:** W T Furgueson, B Sarantonio, P Schaller, P Beckman, G Wendell; **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. 22-18** on behalf of Julie Michaelson, **11 Mares Hill Road, Essex, CT**, Assessor's Map 79, Lot 80-1-32, RU District, requesting variances to Sections 40C, 40D, 40E, 40I.1 and 61B for a garage 36'x24'x15.5' high located at 16.6 feet from the rear property line where 30 feet is required at 7:39 p.m. **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, B Sarantonio, P Schaller, P Beckman, S Feaster; **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. 22-19** on behalf of Richard A Varrato, **58 Melody Lane, Ivoryton, CT**, Assessor's Map 89 Lot 32, RU District, requesting variances to Sections 40C, 40D, 40I.1, and 50D for a second floor addition to an existing garage located 31 feet from the side property line where 40 feet is required, at 7:45 pm. **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarantonio, P Schaller, P Beckman, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0. Discussion:** No further discussion.

MOTION made by W T Furgueson to dismiss the appeal on behalf of **Application No. 22-16** for Frank and Dorene Grasso, **1 River Road Essex**, appealing an alleged decision of the Zoning Enforcement Officer (ZEO) relating to variance #16-12 which was granted in 2016 for **5 River Road, Essex, CT**, Assessor's Map 70 Lot 8, RU District, due to a lack of jurisdiction due to the extent of the filing being untimely; alternatively, to the extent that there is ambiguity or lack of clarity as to the date of the decision, the Board upholds the ZEO's decision based on case law; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Schaller, P Beckman, S Feaster; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0. Discussion:** No further discussion.

MOTION made by B Sarrantonio to grant a variance for **Application No. 22-17** on behalf of **Lawrence C Kaplan and Nora E Groce-Kaplan, 7 Dennison Road, Essex, CT**, Assessor's Map 17 Lot 34, VR District, requesting variances to Sections 40C, 40E, and 60B for a lot line revision resulting in the parcel becoming 0.62 acres from 0.72 acres where 1.3 acres or 60,000 sq ft is required. The hardship associated with this application is that there is a potential title issue and the approval of a variance is consistent to the property. The Application is approved in accordance with the plans as submitted; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Schaller, P Beckman, G Wendell; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 5-0-0. Discussion:** No further discussion.

MOTION made by G Wendell to deny a variance for **Application No. 22-18** on behalf of Julie Michaelson, **11 Mares Hill Road, Essex, CT**, Assessor's Map 79, Lot 80-1-32, RU District, requesting variances to Sections 40C, 40D, 40E, 40I.1 and 61B for a garage 36'x24'x15.5' high located at 16.6 feet from the rear property line where 30 feet is required.

This application is not the minimum necessary to address the hardship; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, P Schaller, P Beckman, G Wendell; **OPPOSED:** B Sarrantonio; **ABSTAINING:** None; **MOTION CARRIED 4-1-0. Discussion:** No further discussion.

MOTION made by W T Furgueson to approve a variance application for **Application No. 22-19** on behalf of Richard A Varrato, **58 Melody Lane, Ivoryton, CT**, Assessor's Map 89 Lot 32, RU District, requesting variances to Sections 40C, 40D, 40I.1, and 50D for a second floor addition to an existing garage located 31 feet from the side property line where 40 feet is required. The hardship associated with this proposal is that this property is situated on a corner lot and the applicant is not expanding the footprint; This proposal is approved in accordance with the plans as submitted; **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, B Sarantonio, P Schaller, P Beckman, S Feaster; **ABSTAINING:** None; **MOTION CARRIED 5-0-0. Discussion:** No further discussion.

MOTION made by W T Furgueson to approve the November 22, 2022 Minutes as presented; **SECONDED** by P Beckman; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Beckman, P Schaller; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 4-0-0. Discussion:** No further discussion.

MOTION made by W T Furgueson to approve the 2023 Zoning Board of Appeals meeting schedule, **SECONDED** by P Schaller; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 4-0-0. Discussion:** No further discussion.

MOTION made by W T Furgueson to adjourn the meeting at 8:53 pm to the next regularly scheduled meeting which will be held on Tuesday, January 17, 2023 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 B Sarrantonio; **IN FAVOR:** W T Furgueson, B Sarrantonio, P Schaller, P Beckman; **OPPOSED:** None; **ABSTAINING:** None; **MOTION CARRIED 4-0-0. Discussion:** No further discussion.

Respectfully submitted,

Stella A Caione, Recording Clerk