

8/05/2019

APPLICATION TO THE ZONING BOARD OF APPEALS

Zoning Board of Appeals  
Easton, Connecticut 06612

Application Number Z-21-5630-07

Applicant owner Owner 433 Center Rd LLC (Alain Bourgeois)

Address N/A Address 449 Center Rd. Easton, CT 06612

I \_\_\_\_\_ hereby appeal to your Board from the denial by the Planning and Zoning Commission of my application for a permit to: replace an existing non-conforming accessory structure, built in the early 19th Century, with a new accessory structure having the identical footprint (plus added insulation) and the same interior conditions (small kitchen and full bath) with the sole variation being the substitution of a basement for the pre-existing attic/loft).

The existing accessory structure cannot be renovated due to the presence of rampant and toxic mold throughout. Nor can the present structure be brought up to code.

Requiring the replacement accessory structure to be located so far back on the property as to conform to current zoning set-back rules, even if possible given existing, problematic rock ledge conditions, would require extensive site modification and preparation, as well as substantial revisions to the site's current, approved septic system. Given the topography of the site, such relocation would elevate, and therefore give increased visual prominence to, the accessory structure as well as altering the spatial relationship between the site's main residence and the subject accessory structure.

Signature of Applicant  (203) 459-9000  
Telephone Number

Application and documents submitted: Date: 09/14/2021

By: \_\_\_\_\_  
For the Commission

8/05/2019

ZONING BOARD OF APPEALS  
TOWN OF EASTON, CONNECTICUT  
APPLICATION FOR VARIANCE TO ZONING REGULATIONS  
(Please refer to Section 8700 of Zoning Regulations of the Town of Easton)  
FEE: \$200.00

Date: \_\_\_\_\_ 19 \_\_\_\_

OWNER 433 Center Rd LLC (Alain Bourgeois) Telephone (203) 459-9000

Address 449 Center Rd. Easton, CT 06612

APPLICANT (if different) \_\_\_\_\_ Telephone \_\_\_\_\_

Address \_\_\_\_\_

TAX ASSESSOR MAP NO. 5466 BLOCK NO. \_\_\_\_\_ LOT NO. 4B

DISTRICT: A \_\_\_ B

Property is  is not within 500 feet of a Town line

Give accurate location of property site so it can be identified when inspection is required.  
(Street address-nearest cross street, other prominent features).  
433 Center Road, Easton, CT 06612 , nearest crossroad: Black Rock Turnpike

Indicate each specific provision of the Zoning Regulations from which a variance is required.

Sect./para. 3530 ; Sect./para. 7130 ; Sect./para. 7140.3.a ; Sect./para. \_\_\_\_\_

Describe fully the nature and extent of each variance applied for above.

Front-Yard setback: moving back to 1' from street, 25' from center of road, but still within setback; non-conforming structure: no increase in non-conformity; non-conforming use: larger squarefootage, due to cellar.

Indicate the specific provisions of the Zoning Regulations from which a variance is requested.

Zoning Section #	Setback(s) proposed	1.0'/25.0' feet-Front
<u>3530</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

8/05/2019

**APPLICATION FOR VARIANCE TO ZONING REGULATIONS(CONTINUED)**

State fully the reasons why:

- a. Strict application of the regulations would create exceptional difficulty or unusual hardship; and
- b. Such hardship is unique to the property.

(Financial hardship is not sufficient basis for granting of a variance).

(see page 8 --the first page of this package)

Does the variance applied for constitute an alteration, conversion, extension, or expansion of an existing non-conforming condition?

NO \_\_\_ YES  if Yes, explain in detail

setback: reduction of non-conformity (more setback); non-conforming use: turning an attic into a cellar & expanding the square footage of that space

Has any previous application been made to ZBA for a variance relative to all or any part of said property?

NO  YES \_\_\_ if Yes, specify when and for what.

Is there a home occupation at the location or has a Special Permit been granted for the property?

NO  YES \_\_\_ if, Yes, explain

Applicant hereby grants to ZBA Members the right to make physical on-site inspection of the property as may be necessary to acquaint themselves with actual conditions.

Applicant [Signature] Date 9/16/21

Owner [Signature] Date 9/16/21

Received at Planning and Zoning Office [Signature] Date \_\_\_\_\_

Reviewed by Zoning Enforcement Officer \_\_\_\_\_ Date \_\_\_\_\_



Zoning Board of Appeals  
Town of Easton

Re: 433 Center Road  
Application for Zoning Set-back variance.

September \_\_, 2021

We, Jane & Dick Hoyt, reside at 427 Center Road, Easton CT. A portion of our land at that address abuts the property at 433 Center Road, owned by the 433 Center Road LLC. The beneficial owners of the 433 Center Road LLC are Alain and Jessica Bourgeois and their children, Claire and Alexander Bourgeois. The Bourgeois family has resided at 449 Center Road, adjoining the subject property, for over seventy-five years.

We have been advised that, having purchased the property at 433 Center Road from the Estate of Edward Reith, the Bourgeois family attempted to save the home located on the property, only to find that the structure was so filled with toxic mold as to be beyond salvation. Accordingly, they have engaged an architect and local contractor to design and construct a one-story replacement for the original house and accessory structure.

Because both the original structure and its proposed replacement fall partially within the town's streetside zoning setback requirement, the Bourgeois family is seeking a variance from the Town of Easton Zoning Board of Appeals to permit the replacement structure to be constructed in the same location as the original home.

The Bourgeois family has provided us with a copy of the plot plan of 433 Center Road, together with renderings of the proposed structure as seen both from the roadside and from the center of the property. Upon our review of those materials, we send this letter to advise the Zoning Board of Appeals that we have no objection to the granting of the requested variance and to the construction of the proposed house and accessory structure within the town's roadside zoning setback.

Name: Jane & Dick Hoyt  
Address: 427 and 405 Center Rd.  
Easton, CT 06612

Zoning Board of Appeals  
Town of Easton

Re: 433 Center Road  
Application for Zoning Set-back variance.

September 8, 2021

We, Ken and Madeline Macanka reside at 419 Center Road, Easton CT. A portion of our land at that address abuts the property at 433 Center Road, owned by the 433 Center Road LLC. The beneficial owners of the 433 Center Road LLC are Alain and Jessica Bourgeois and their children, Claire and Alexander Bourgeois. The Bourgeois family has resided at 449 Center Road, adjoining the subject property, for over seventy-five years.

We have been advised that, having purchased the property at 433 Center Road from the Estate of Edward Reith, the Bourgeois family attempted to save the home located on the property, only to find that the structure was so filled with toxic mold as to be beyond salvation. Accordingly, they have engaged an architect and local contractor to design and construct a one-story replacement for the original house and accessory structure.

Because both the original structure and its proposed replacement fall partially within the town's streetside zoning setback requirement, the Bourgeois family is seeking a variance from the Town of Easton Zoning Board of Appeals to permit the replacement structure to be constructed in the same location as the original home.

The Bourgeois family has provided us with a copy of the plot plan of 433 Center Road, together with renderings of the proposed structure as seen both from the roadside and from the center of the property. Upon our review of those materials, we send this letter to advise the Zoning Board of Appeals that we have no objection to the granting of the requested variance and to the construction of the proposed house and accessory structure within the town's roadside zoning setback.

Name: Ken Macanka

Address: 419 Center Rd.  
Easton, CT 06612





# Town of Easton

225 Center Road  
Easton, Connecticut 06612  
(203)268-6291

## PLANNING AND ZONING COMMISSION APPLICATION – ZONING PERMIT

(Please type or print in ink)

Date of Application 09/14/2021

Application Number Z-21-5630-07

Name of Owner 433 Center Rd LLC (Alain Bourgeois) Mailing Address 449 Center Road  
Location 433 Center Road Record Map No./Subdivision Assessor's Map #5466, Lot 4B  
Construction Applied for : New  Alteration  Addition  Repair   
Description: replace existing accessory structure w/ same footprint  
(plus added passive house insulation) to contain 1 bedroom, 1 sm kitchen and 1 bath

Demolition permit will be filed under separate application.

Type of Occupancy: Residence  Garage  Accessory Bldg.  Pool   
Other

Zone: A  (1 acre) B  (3 acre) SQ. Feet or Lot Size acres ±3 Lot Footage 130,675  
Total Wetland Area (as determined by soil classification) ±14,431sf (±.331 acres)  
Activity in 100 Yr. Flood Plan? Yes  NO   
Building(s) Setback Existing: Front 0.2' Side Yards: Left N/A Right 44.5' Rear ±343'  
from boundary line. Proposed: Front 1.0' Side Yards: Left N/A Right 42.5' Rear ±341'

### Size of Basement (Living Space)

Existing		Proposed		Existing		Proposed	
Basement	sq. ft	Basement	sq. ft	Garage	sq. ft	Garage	sq. ft
1 <sup>st</sup> Floor		1 <sup>st</sup> Floor		Accessory	554.5sf	Accessory	904.56sf
2 <sup>nd</sup> Floor		2 <sup>nd</sup> Floor		Building	N/A	Building	N/A
				Porch	N/A	Porch	N/A
				Pool	N/A	Pool	N/A
				Other	N/A	Other	N/A

Driveway: Length ±80.5' ft. Width ±18' ft.

Max. Height of proposed building (Section 3540) 13.0' above extg. max. grade

Please Leave This Space Blank

The undersigned applicant hereby consents to necessary and proper inspection of the subject premises by representative of the Planning and Zoning Commission, at reasonable times, both before and after any permit applied for has been granted by the agency. I hereby certify that the above answers are correct and true and that I shall conform to the requirements for the Zoning Regulation of the Town of Easton, CT

Signed

[Signature]  
Owner agent

Address 449 Center Rd. Easton, CT Phone 203-459-9000

**TOWN OF EASTON**  
**APPLICATION FOR BUILDING PERMIT**

COMPLETE THIS ENTIRE APPLICATION BY FOLLOWING THE PROCEDURES SET OUT IN THE INFORMATION SECTION ON PAGE 8.  
**APPLICATION MUST BE FILLED OUT IN INK**

House Number 433 Lot Number 4B Street Center Road Zone: A  B   
Owner(Print) 433 Center Rd. LLC Signature (Alain Bourgeois)  
Phone: Home 203-459-9000 Work N/A Mobile 718-309-3341  
Owners Address 449 Center Road  
City/Town Easton State CT Zip 06612

**CERTIFIED PLOT PLAN OF FOUNDATION REQUIRED PRIOR TO FURTHER CONSTRUCTION**

**CONSTRUCTION:** USE GROUP  NEW  ADDITION  REMODEL  CHANGE OF USE  DEMOLITION   
ONE FAMILY RESIDENCE  GARAGE  SHED  POOL  FENCE  OTHER

Description: replace existing accessory structure w/ same footprint (plus added passive house insulation)  
to contain 1 bedroom, 1 sm. kitchen & 1 bath. Demolition permit will be filed under separate applicati

Is there a building on the lot now? Yes  No  If so, how is it occupied? accessory

Size of structure ±681.15sf Number of Floors 1.4 Size of Addition N/A Lot Size 130,675 (±3acres)

Is proposed construction in a year flood plan? Yes  No

Applicant (print) 433 Center Rd. LLC (Alain Bourgeois) Signature   
Address: 449 Center Road Phone: 203-459-9000

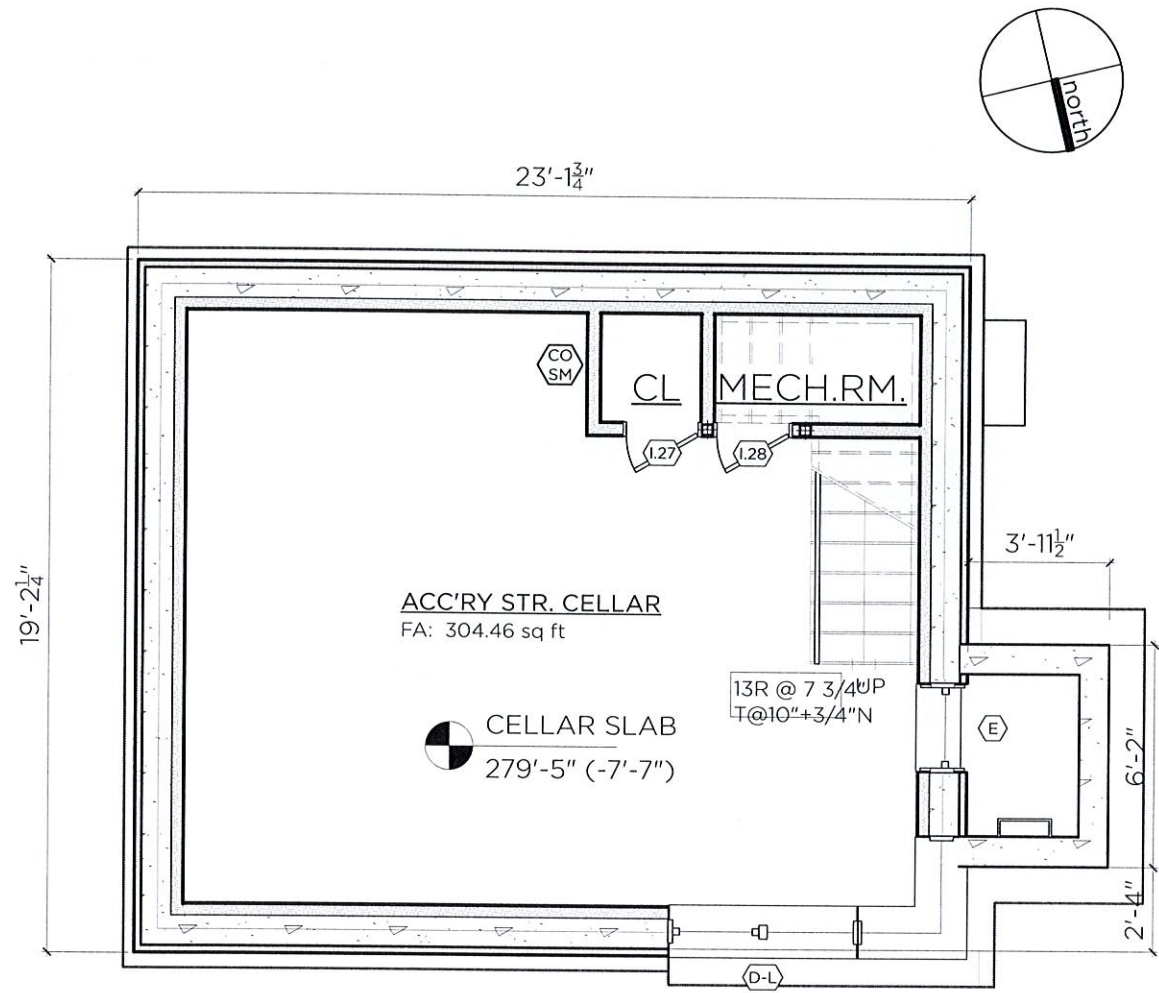
I estimate the value of the work will be \$ 223,000

Office use only

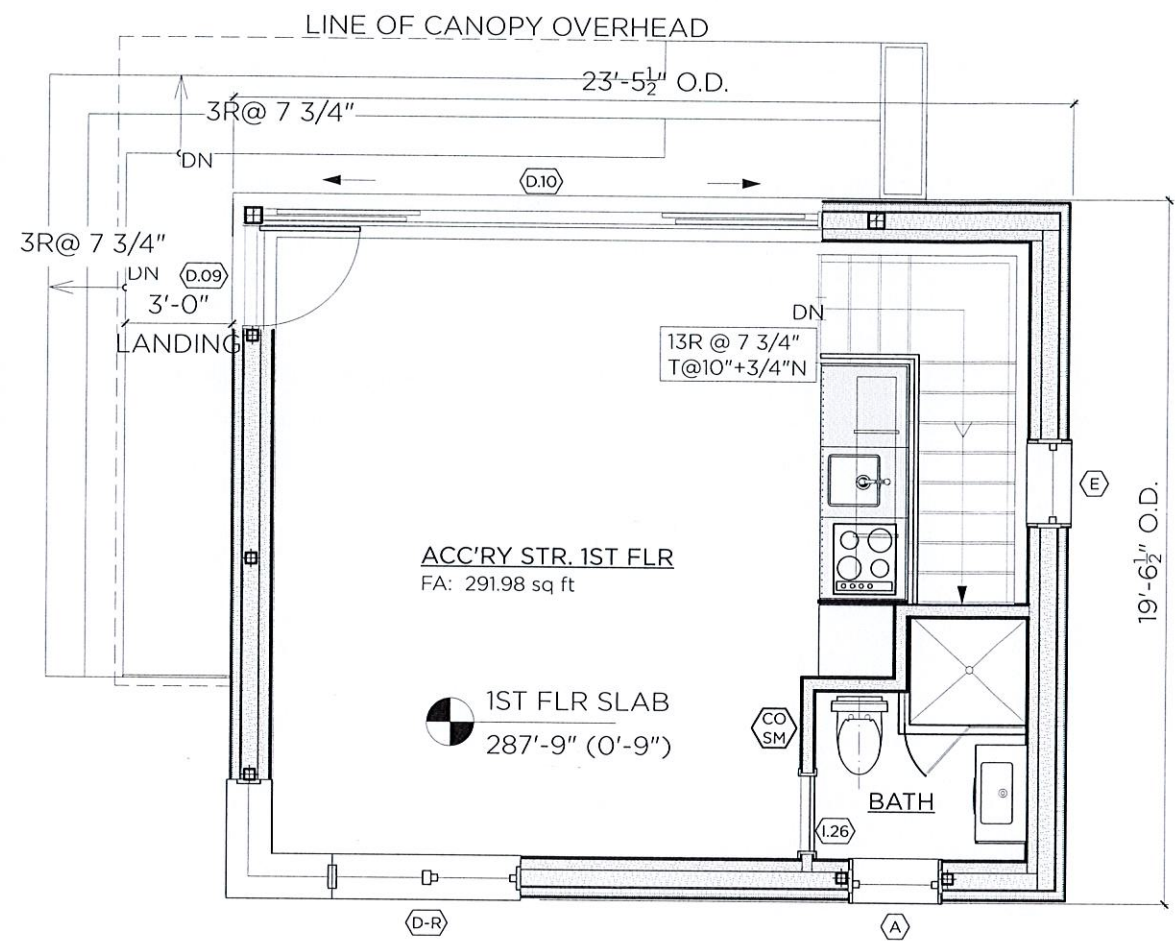
Building Officials estimate of value \$ \_\_\_\_\_  
Zone Fee \$ \_\_\_\_\_  
Building Fee \$ \_\_\_\_\_  
Cert of Occ. \$ \_\_\_\_\_  
Septic Fee \$ \_\_\_\_\_  
Well Fee \$ \_\_\_\_\_  
Admin Fee \$ \_\_\_\_\_  
Total Fee \$ \_\_\_\_\_

PERMIT NUMBER: 17056 DATE ISSUED: \_\_\_\_\_





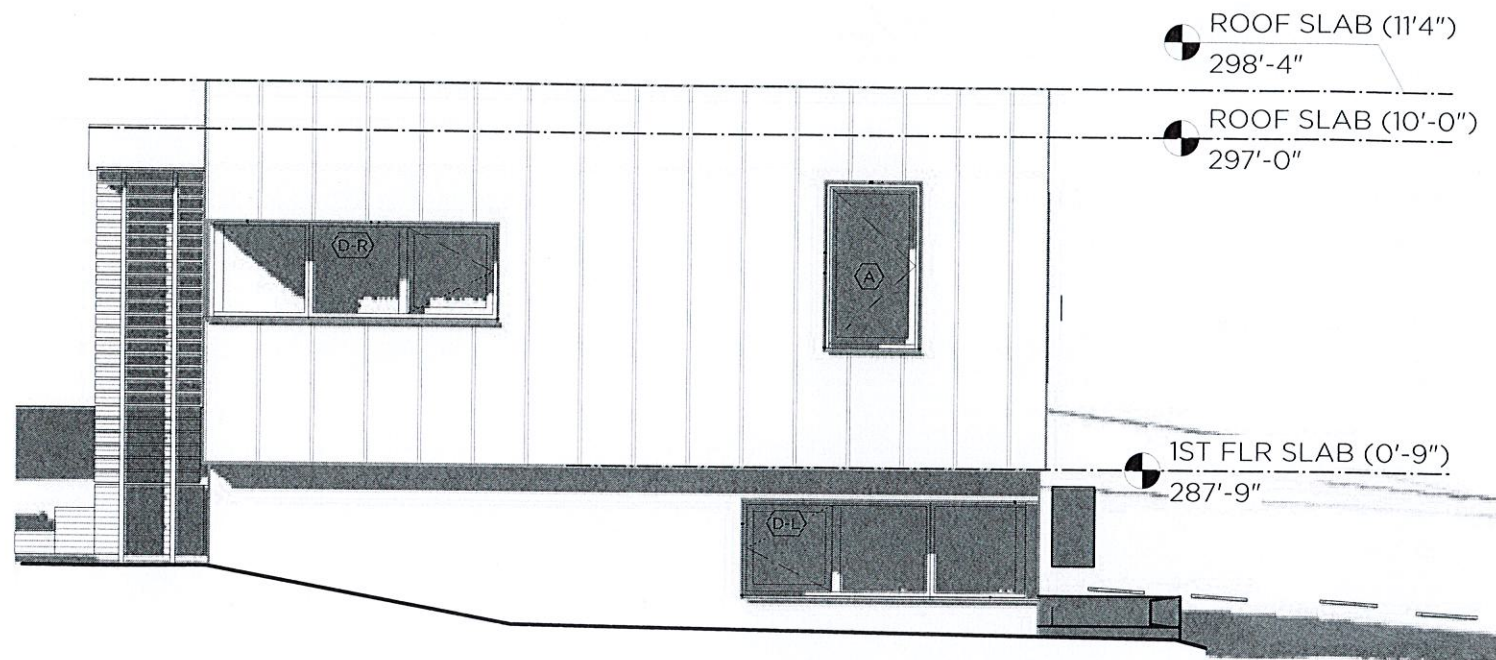
1 CELLAR PLAN ACCESSORY STR.  
Scale: 3/16" = 1'-0"



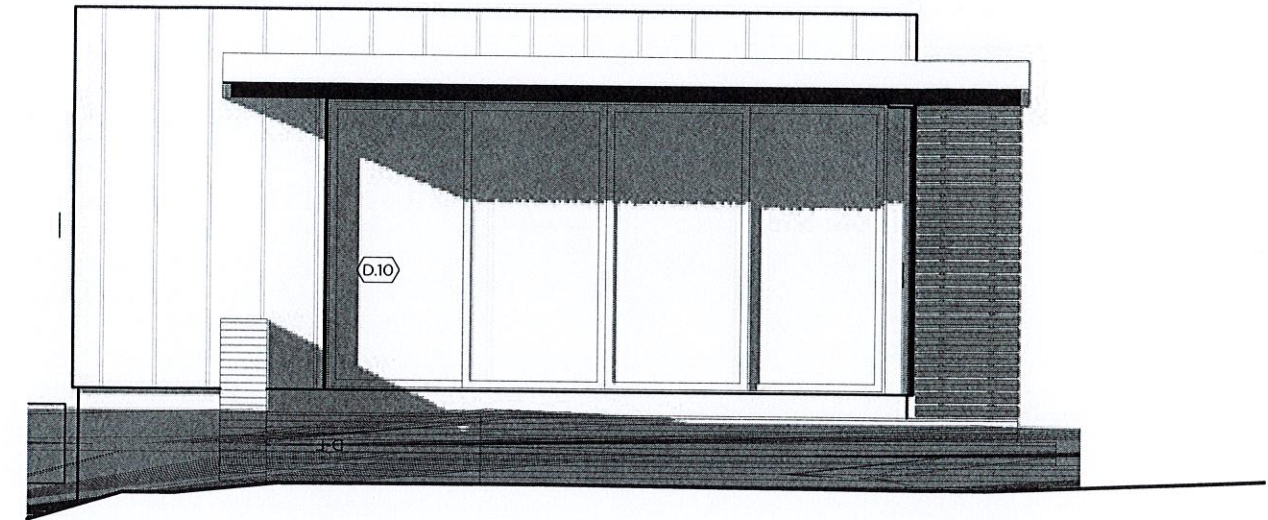
2 1ST FLOOR ACCESSORY STR.  
Scale: 3/16" = 1'-0"

Design Firm  <b>LENZLINGER ARCHITECTURE</b> 126 13th Street Ste 1W, Brooklyn, NY 11215-4640 tel: 718-832-4934 meret@lenzlingerarch.com	Project Title <b>BOURGEOIS RESIDENCE 433 Center Road, Easton, CT 06612: MAP: 5466-4B</b>	Project # 1905
	Sheet Title <b>FLOOR PLANS</b>	Date 09/02/2021
		Sheet No. <b>ZC-01</b>





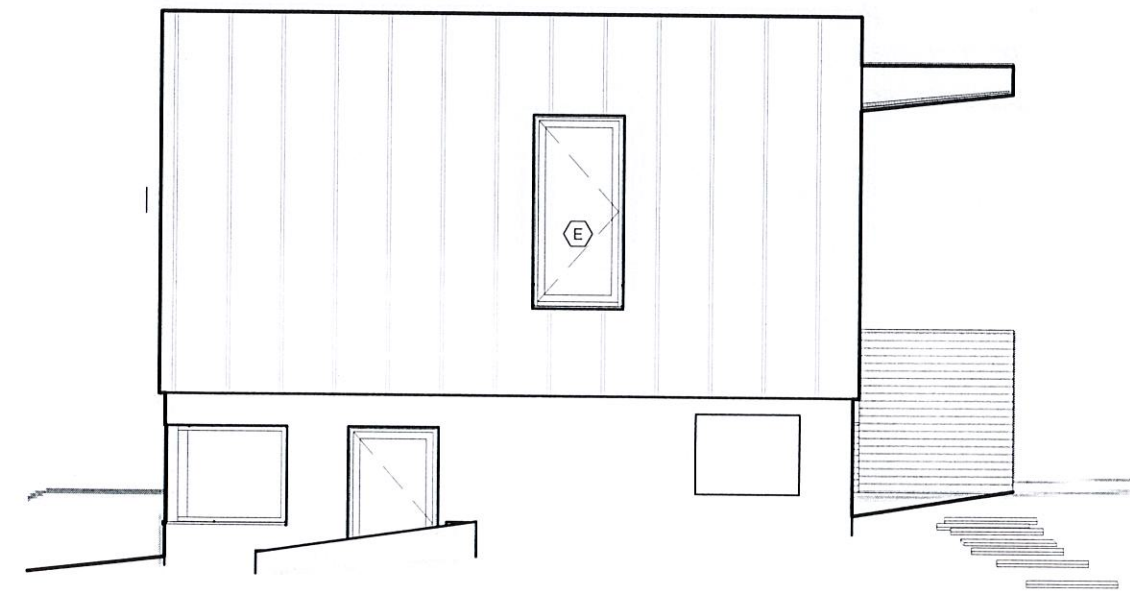
1 NORTH ELEVATION ACCESSORY STR.  
Scale: 3/16" = 1'-0"



2 SOUTH ELEV. ACCESS'RY STR.  
Scale: 3/16" = 1'-0"



3 EAST ELEVATION ACCS'RY STR.  
Scale: 3/16" = 1'-0"



4 WEST ELEVATION ACC'RY STR.  
Scale: 3/16" = 1'-0"

Design Firm  <b>LENZLINGER ARCHITECTURE</b> 126 13th Street Ste 1W, Brooklyn, NY 11215-4640 tel: 718-832-4934 meret@lenzlingerarch.com	Project Title <b>BOURGEOIS RESIDENCE 433 Center Road, Easton, CT 06612: MAP: 5466-4B</b>	Project # 1905
	Sheet Title <b>EXTERIOR ELEVATIONS</b>	Date 09/02/2021
		Sheet No. <b>ZC-02</b>