

ORIGINAL

8/05/2019

APPLICATION TO THE ZONING BOARD OF APPEALS

Zoning Board of Appeals  
Easton, Connecticut 06612

Application Number Z-21-5627-06

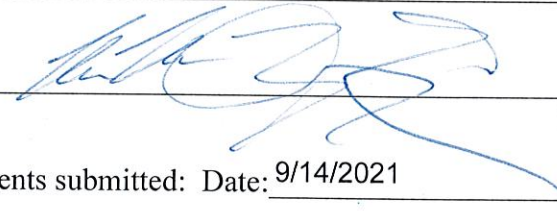
Applicant Owner \_\_\_\_\_ Owner 433 Center Rd LLC (Alain Bourgeois)

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

   hereby appeal to your Board from the denial by the Planning and Zoning Commission of my application for a permit to: To replace a single-family, two-story house (and detached garage), built in the 1800s within what is now the required front yard setback, with a single-family, one-story house with attached garage. We propose to set the new house 5 feet furth back from the street than the existing structure (except for a cellar access stair, which will be set back .7 feet than the existing house), creating a less non-conforming condition in terms of setback. The front setbacks and the non-conforming structure are the only non-conforming conditions. . In addition to moving the house back, we would also reduce the number of non-conforming buildings in this application from two (house + garage) to one (house/attached garage). Cognizant of wetlands considerations, the driveway will stay in its existing location.

(to continue, please see attached)

Signature of Applicant



(203) 459-9000

Telephone Number

Application and documents submitted: Date: 9/14/2021

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: 9/14/2021 ~~XXXX~~

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

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

*AB 9/16/21*

--Frontyard setback: proposal to decrease the non-conformity by moving the house back 5', but still w/in setback

--Non-conforming structure: proposal to decrease number of non-conforming structures from 2 (house + garage)

to 1 (house w/ attached garage); increase in sf inside the setback zone (1,699sf to 1,801sf) but further set back

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

Zoning Section #	Setback(s) proposed	feet-Front
<u>3530</u>	<u>20.0'/42.9'</u>	<u>feet-Front</u>
<u>N/A</u> feet - Watercourse	<u>N/A</u> feet-Left	<u>N/A</u> feet-Right
<u>N/A</u> feet - Corner lot	<u>N/A</u>	<u>N/A</u> feet-Rear

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).

\_\_\_\_\_

(please see attached)

\_\_\_\_\_

\_\_\_\_\_

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

Two existing non-conforming buildings (main house + detached garage) in front setback are replaced with single building (house+ attached garage) in similar location. While footprint in setback is slightly enlarged, the setback is increased

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

917 751 5013



(433 Center Road, BZA continued)

The existing house cannot be renovated because of the presence of rampant and toxic mold throughout. The foundations and structure are both old and failing, and the house can neither be insulated nor brought up to code. The proposed code-compliant structure will be super-insulated (near-Passive House standards) and as such will impose a diminished burden on environmental and community resources. In addition, the proposed single-story structure, in contrast to the existing two-story premises, will allow for occupancy by the physically challenged, permitting the applicants (currently approaching 80 years of age) the opportunity to continue residing in the community well into the future. (Applicants presently reside on the property adjoining the subject premises, in a home purchased by their family over 75 years ago. That home, being a two-story structure, will be unusable by them come the day that one or both of them is no longer able to climb stairs.)

Requiring the replacement 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 necessitate extensive site modification and preparation, as well as substantial revisions to the site's current, approved septic system. In addition, such relocation would require significant extension and regrading of the existing driveway, complicated by wetlands considerations. And, given the topography, it would mean the structure would be elevated and the existing relationship of the house to the land and its many trees would be irreparably altered.

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



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



# 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 9/14/2021  
Application Number Z-21-5627-06

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: New single story, one-family residence w/ attached garage to replace existing two-story  
single family home with detached garage; Demolition permit will be filed under separate application

Type of Occupancy: Residence  Garage  (attached) 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 19.3' Side Yards: Left ±203' Right 90.9' Rear ±295'  
from boundary line. Proposed: Front 24.3' Side Yards: Left ±203' Right 77.6' Rear ±270.7'

Size of Basement (Living Space)		Garage		Accessory Building		Porch		Pool		Other	
Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Basement <u>0</u> sq. ft	<u>582</u> sq. ft	<u>445sf (free-st.)</u>	<u>687sf (attached)</u>	<u>554.4sf</u>	<u>(filed separately)</u>	<u>484sf</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
1 <sup>st</sup> Floor <u>±921</u> sq. ft	<u>2,624 +garage</u> sq. ft	<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>	<u>N/A</u>	<u>N/A</u>
2 <sup>nd</sup> Floor <u>±921</u> sq. ft	<u>0</u> sq. ft	<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>	<u>N/A</u>	<u>N/A</u>

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

Max. Height of proposed building (Section 3540) 13.8'

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 06612 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: New single story, one-family residence w/ attached garage to replace two-story single family garage. Demolition permit will be filed under separate application

Is there a building on the lot now? Yes  No  If so, how is it occupied? Residential  
Size of structure ±1,852sf Number of Floors 2 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

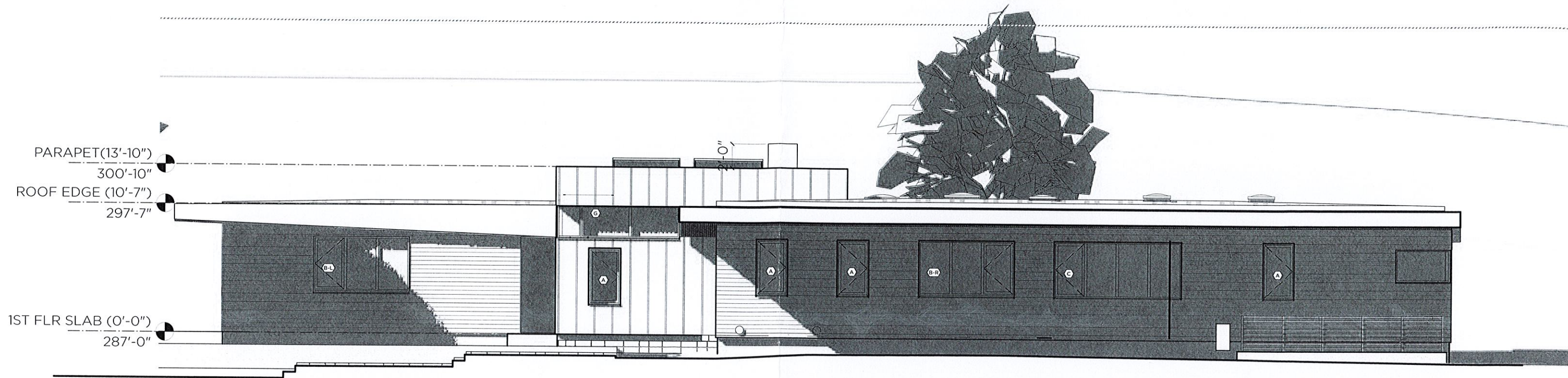
I estimate the value of the work will be \$ 927,000

Office use only

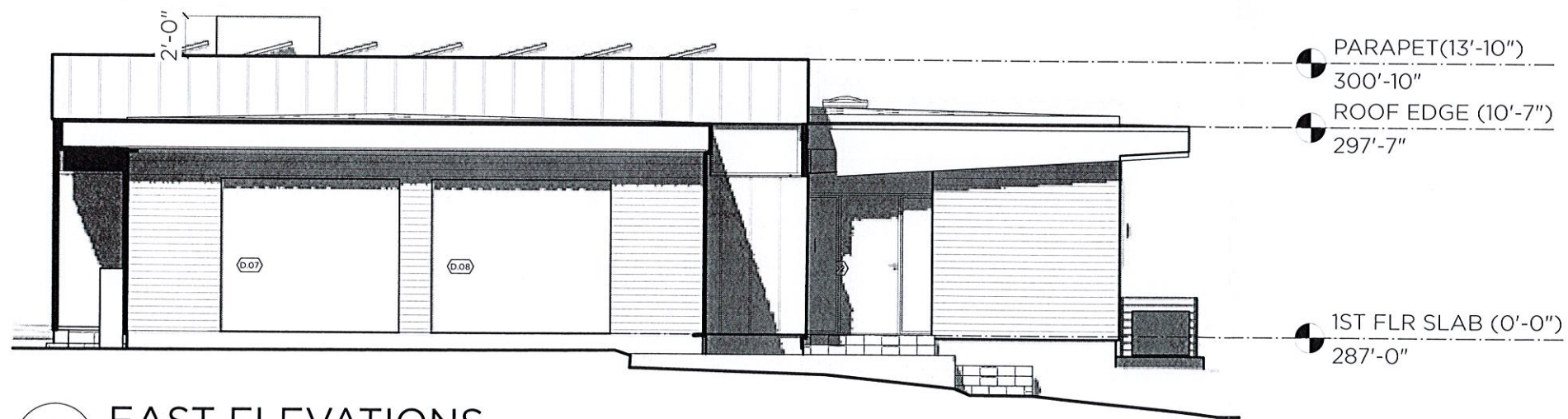
Building Officials estimate of value \$ \_\_\_\_\_  
Zone Fee \$ \_\_\_\_\_  
Building Fee \$ \_\_\_\_\_  
Cert of Occ. \$ \_\_\_\_\_  
Septic Fee \$ \_\_\_\_\_  
Well Fee \$ \_\_\_\_\_  
Admin Fee \$ \_\_\_\_\_  
Total Fee \$ \_\_\_\_\_

PERMIT NUMBER: 17055 DATE ISSUED: \_\_\_\_\_





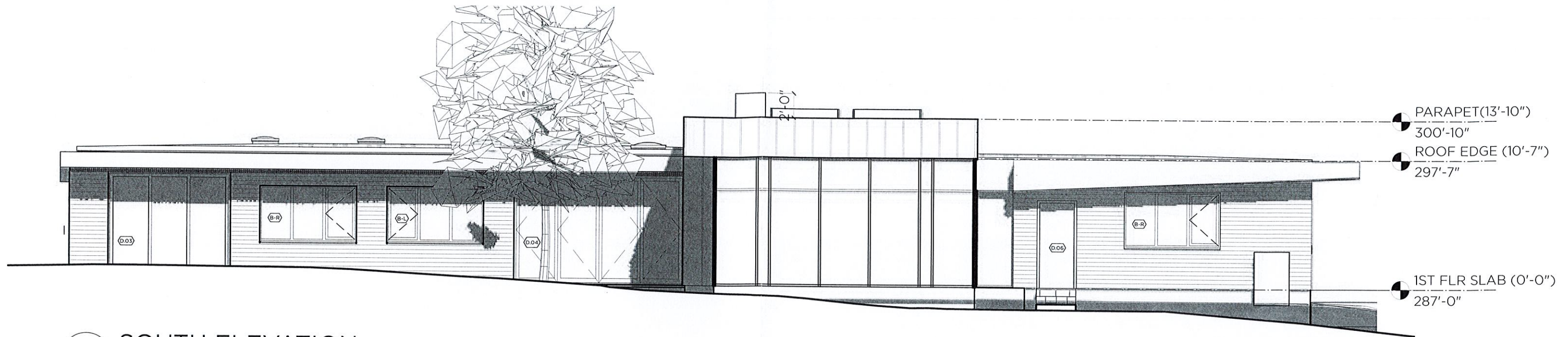
**1** NORTH ELEVATION  
Scale: 1/8" = 1'-0"



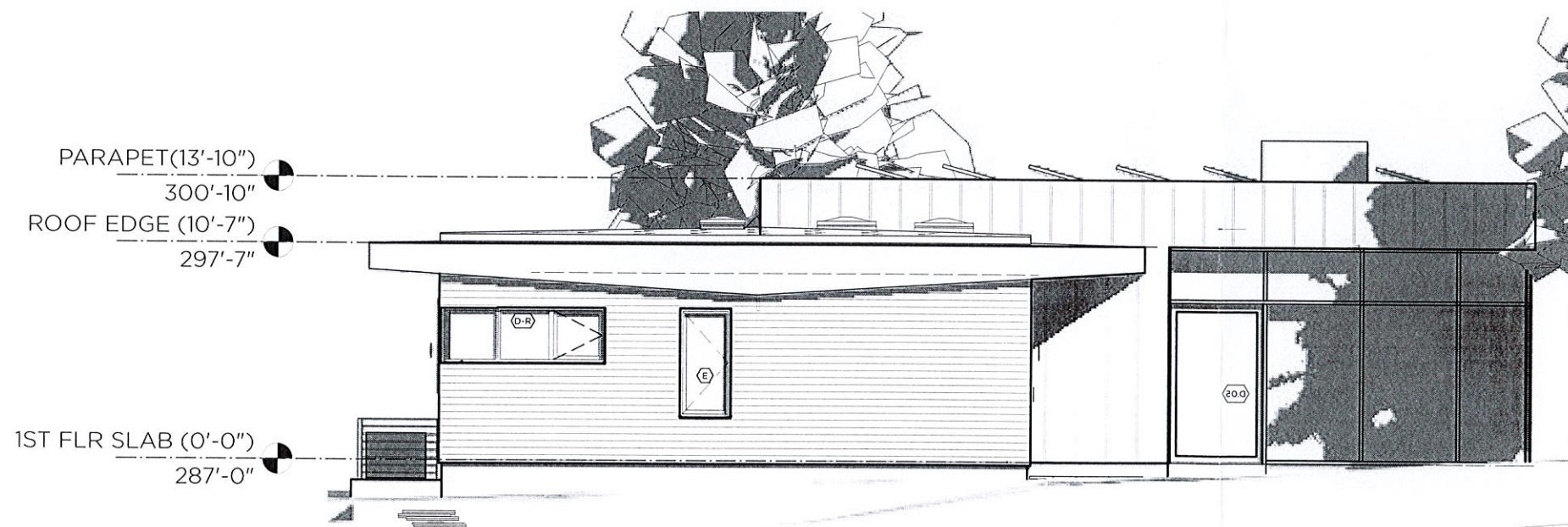
**2** EAST ELEVATIONS  
Scale: 1/8" = 1'-0"

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>EXTERIORELEVATIONS N&amp;E</b>	Date 09/02/2021
		Sheet No. <b>ZM-03</b>





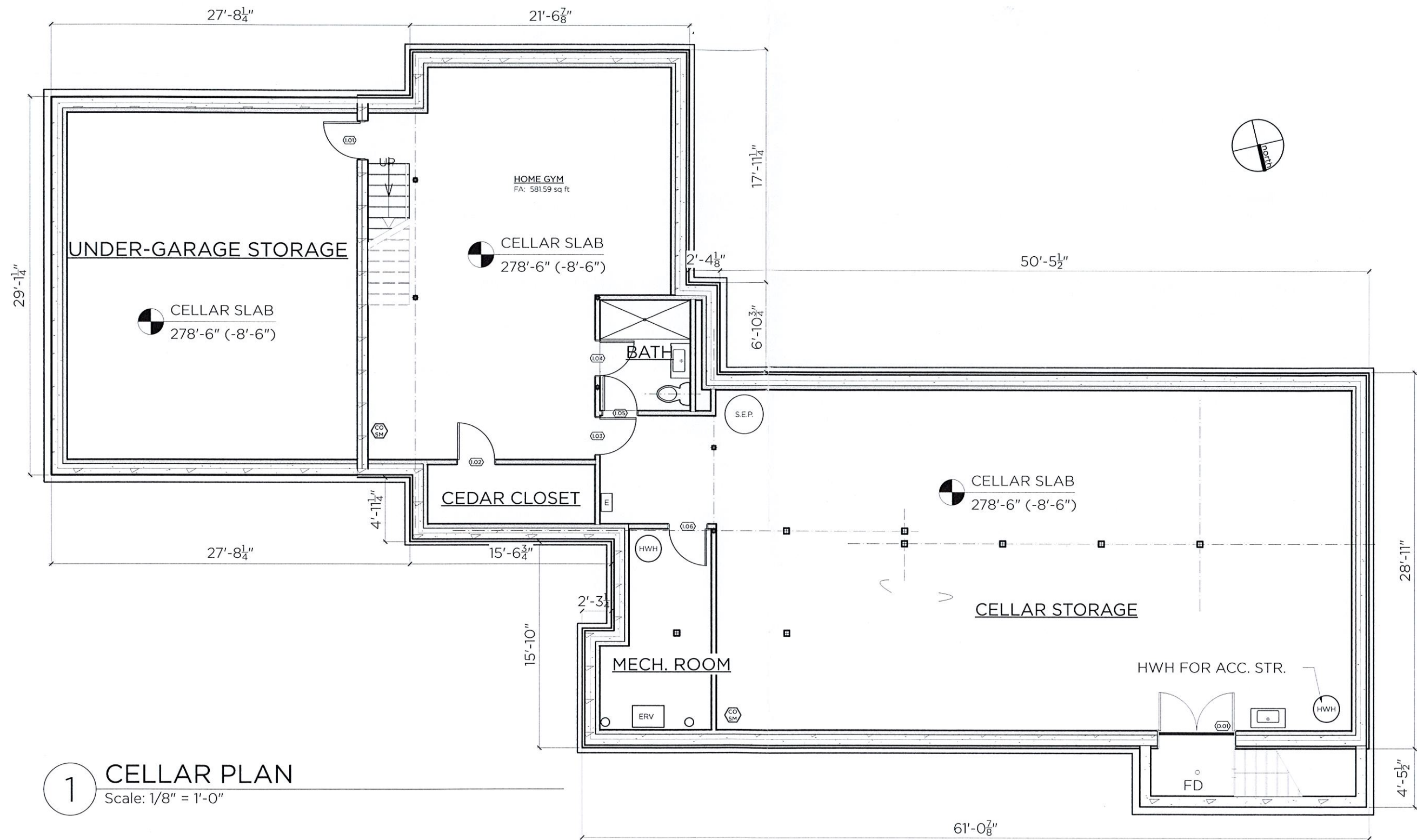
**3 SOUTH ELEVATION**  
Scale: 1/8" = 1'-0"



**4 WEST ELEVATION**  
Scale: 1/8" = 1'-0"

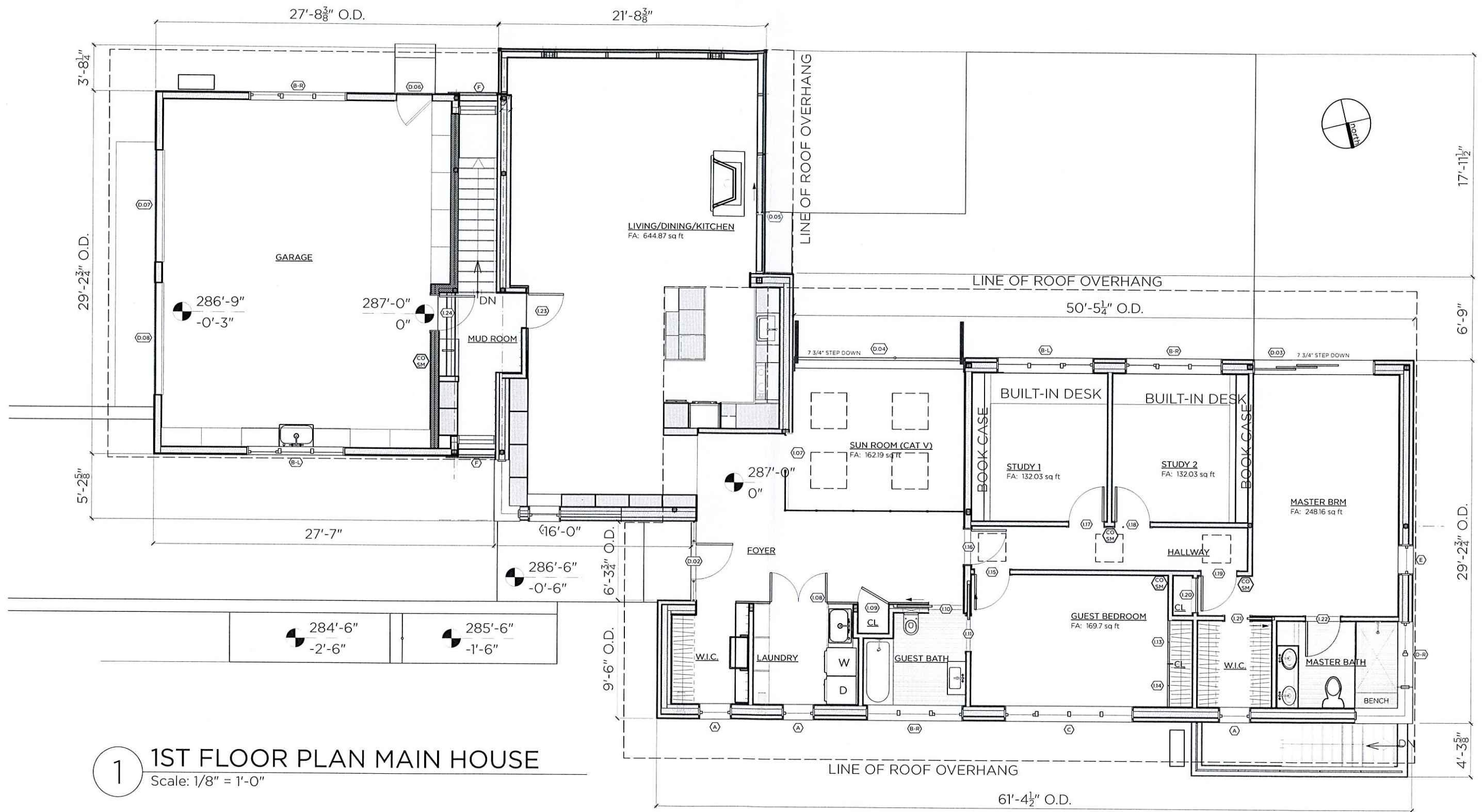
Design Firm  <b>LENZLINGER ARCHITECTURE</b> 126 13th Street Ste 1W, Brooklyn, NY 11215-4640 tel: 718-832-4934 meret@lenzlingerarch.com	Project Title <b>BOURGEOIS RESIDENCE 433 Center Road, Easton, CT 06612: MAP: 5466-4B</b>	Project # 1905
	Sheet Title <b>EXTERIOR ELEVATIONS S&amp;W</b>	Date 09/02/2021
		Sheet No. <b>ZM-04</b>





**1** CELLAR PLAN  
Scale: 1/8" = 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>CELLAR PLAN</b>	Date 09/02/2021
		Sheet No. <b>ZM-01</b>



**1 1ST FLOOR PLAN MAIN HOUSE**  
 Scale: 1/8" = 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>1ST FLOOR PLAN</b>	Date 09/02/2021
		Sheet No. <b>ZM-02</b>