

ENFIELD ZONING BOARD OF APPEALS  
REGULAR MEETING  
MINUTES  
MONDAY, February 28, 2022 7:00 PM  
ENFIELD TOWN HALL – COUNCIL CHAMBERS  
820 ENFIELD STREET – ENFIELD, CT

RECEIVED  
ENFIELD TOWN CLERK

2022 MAR -2 AM 9:04

Shida M Bailey

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**Call to Order**

Chairman Urbanowicz called the meeting to order at 7:00 PM

**Roll Call**

Commissioner Turner took the roll and present were Commissioners MaryAnn Turner, Andrew Urbanowicz, Kelly Davis, Timothy Neville, Charles Mastroberti, and Alternate Commissioners Richard Stroiney, Robert Kwasnicki and Catherine Plopper.

Also present were Ricardo Rachele, Zoning Enforcement Officer and Ben Winter, Assistant Town Planner.

**Motion:** Commissioner Stroiney made a motion, seconded by Commissioner Neville, to move Other Business up on the agenda.

The motion passed with an 8-0-0 vote.

**Votes: 8-0-0**

**Other Business**

Deputy Mayor Gina Cekala addressed the Commission on behalf of the Town Council. She presented a Certificate of Appreciation for Maurice LaRosa in recognition of his 14 years on the Commission.

**Approval of Minutes**

- a. January 24, 2022 – *Regular Meeting*

Commissioner Plopper stated that she was missing several pages of the minutes; the other Commissioners stated they were missing them as well.

**Motion:** Commissioner Neville made a motion, seconded by Commissioner Kwasnicki, to table the minutes from the January 24, 2022 Regular Meeting.

The motion passed with an 8-0-0 vote.

**Votes: 8-0-0**

Chairman Urbanowicz requested that Staff include all pages of the minutes in their next packet. Commissioner Davis stated that they had also tabled the December minutes. Commissioner Urbanowicz requested that they add the December minutes onto the next agenda as well.

Commissioner Neville stated that he seconded a motion that was not indicated on the minutes and requested that Staff check on it.

### **Correspondence / Staff Reports**

#### **b. 1375 Enfield Street - Letter**

Mr. Winter stated that there is a letter in the Commissioners' packets submitted from Attorney Landolina regarding the appeal of 1375 Enfield Street.

Commissioner Turner asked if Staff went out to the property and looked, to which Mr. Rachele replied that they offered to allow him to do the inspection but never called with an inspection date so the inspection had never been done. Commissioner Turner asked if they will know he is in compliance if an inspection was never done, to which Mr. Rachele replied not until they put another mower out on the front lawn and are in violation again.

Mr. Rachele stated that they were aware of the problems with the number of units as well the machinery and junk cars on the property, so a notice of violation for a junkyard was issued. He stated that in the future the Commission can suggest a time limit on the inspection rather than leaving it up to the applicant to call Staff to schedule it.

Commissioner Mastroberti asked if Mr. Rachele can still go out and inspect if the applicant says they are going to comply. Mr. Rachele stated that there is no way for him to tell they are going to be complying as he can still see the junk cars through the existing fence. He stated that there is no way to verify that the junk was removed from the property unless there is an inspection.

Commissioner Neville asked if the Public Hearing is closed since the applicant sent a letter stating that they are going to comply. Chairman Urbanowicz stated that the application is withdrawn and back with Mr. Rachele since the applicant has withdrawn their appeal.

Commissioner Turner asked if they can put a date on the visit now since it is not closed. Mr. Rachele stated that the applicant would still have to allow him on the property.

Chairman Urbanowicz stated that you cannot be forced to go forward with an appeal, but that does not negate whatever other process might happen. The Commission discussed possible next steps with Mr. Rachele concluding that there is no way to verify it unless there is an inspection done on the property.

### **Other Business**

Commissioner Stroiney asked if there were any updates on the K7 since Commissioner Turner sent the note to the State Senate. Commissioner Turner stated that it has not come up for Public Hearing yet and she was told that she would be notified if it does.

Mr. Rachele stated that the K7 has not been signed and a Special Use Permit has not been submitted to the Planning & Zoning Commission (PZC) for approval. He stated that the use requirements for PZC still have not been satisfied. Commissioner Turner stated that the K7 cannot be signed until he has done that. Mr. Rachele stated that the Cease & Desist order had been issued for not

obtaining a location approval from the ZBA and also the signage. He stated that he is now not in compliance with the regulations for that use. Mr. Rachele stated that a citation will be issued for the violation of the signage, but they have to start over with the Notice of Violation for not being an approved use.

Commissioner Turner asked if they are still in operation, to which Mr. Rachele replied that they are. Mr. Rachele explained that at this point the violation starts with not being approved by the PZC. Commissioner Turner requested that he ensure the K7 does not get signed without her signature, to which Mr. Rachele agreed.

Mr. Rachele stated that he needs to go before the PZC for an approval for that location. He stated that they are advertising cars for sale, when the applicant indicated to the Commission and on their application that they are just buying vehicles, so it is a dealership.

### **Adjournment**

**Motion:** Commissioner Kwasnicki made a motion, seconded by Commissioner Turner, to adjourn.

Prepared by:

Elizabeth Bouley, Recording Secretary

Respectfully Submitted,

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Mary Ann Turner, Secretary