

ENFIELD ZONING BOARD OF APPEALS  
REGULAR MEETING  
**MINUTES**  
MONDAY, June 27, 2022 7:00 PM  
ENFIELD TOWN HALL – COUNCIL CHAMBERS  
820 ENFIELD STREET – ENFIELD, CT

RECEIVED  
ENFIELD TOWN CLERK

2022 JUN 29 AM 9:00

Sheila M Bailey

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**Call to Order**

Chairman Urbanowicz called the meeting to order at 7:02 PM

**Roll Call**

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

Also present was Ricardo Rachele, Zoning Enforcement Officer.

Chairman Urbanowicz stated that he had already recused himself from the Executive Session and 1375 Enfield Street. He designated Alternate Commissioner Stroiney to sit in his seat, and turned the Commission over to Vice Chairman Neville.

**Motion:** Commissioner Turner made a motion, seconded by Commissioner Stroiney, to enter into Executive Session.

The motion passed with a 5-0-0 vote.

**Votes: 5-0-0**

**Executive Session**

- a. 128 Moody Road, LLC v. Zoning Board of Appeals of the Town of Enfield, Docket No. LND-CV-21-6143003-S.
- b. Jarmoc Farms, LLC v. Zoning Board of Appeals of the Town of Enfield, Docket No. LND-CV-21-6143004-S.

The Commission returned from Executive Session at 7:54 PM. No motions were made and no votes were taken.

**Old Business**

- a. **ZBA# 2022-04-14: 1375 Enfield St-** Appeal of the ZEO's Cease & Desist Order for Section 3.30.12; Devin Terhune, Applicant/Owner; Map 18/Lot 243; HR-33 Zone.

**Motion:** Commissioner Turner made a motion, seconded by Commissioner Stroiney, to open the meeting.

The motion passed with a 5-0-0 vote.

**Votes: 5-0-0**

Mr. Rachele provided an update on his visit to the property, which he said took place on June 9, 2022. He stated that much of the materials seen on the site had been removed and the site was cleaned up. Mr. Rachele stated that there was an unregistered Jeep being worked on, but the violation has been remedied and the appeal becomes moot.

Commissioner Turner stated that she takes exception to Attorney Landolina putting words in her mouth, and that the Commission never determined whether it was a business or a hobby. She stated that she wants this off of the record, as her comment regarding whether this is a hobby or a business was never voted on, and the appeal was never voted on.

**Motion:** Commissioner Turner made a motion, seconded by Commissioner Stroiney, to close the Public Hearing.

The motion passed with a 5-0-0 vote.

**Votes: 5-0-0**

Chairman Urbanowicz returned to the meeting.

#### **New Business**

- a. **ZBA# 2022-06-10: 27 Palomba Drive**-Application for a location of a Motorcycle Dealership (MOMS Enfield); Joel Wheeler, Applicant; Dale A. Badura and Diane Waterman, Owners; Map 57/Lot 341; BR Zone

Juan Scott, 27 Palomba Drive, addressed the Commission on behalf of Joel Wheeler. He stated that they are not making any changes and are working on their license for the State of Connecticut.

Mr. Rachele stated that the previously approved site plan is the one being approved, along with the K7 for the property.

**Motion:** Commissioner Turner made a motion, seconded by Commissioner Neville, to close the hearing.

The motion passed with a 5-0-0 vote.

**Votes: 5-0-0**

Commissioner Turner stated that nothing is going to change and they should just move forward.

**Motion:** Commissioner Mastroberti made a motion, seconded by Commissioner Neville, to approve ZBA# 2022-06-10.

The motion passed with a 5-0-0 vote.

**Votes: 5-0-0**

## **Approval of Minutes**

### a. May 23, 2022 – Regular Meeting

**Motion:** Commissioner Stroiney made a motion, seconded by Commissioner Neville, to approve the minutes of the May 23, 2022 Regular meeting.

The motion passed with a 5-0-1 vote with Commissioner Turner abstaining.

### **Votes: 5-0-1**

### b. December 27, 2022- Regular Meeting

Chairman Urbanowicz stated that the minutes were from 2021 and not 2022.

Commissioner Turner stated that the minutes are missing information that makes them make sense.

She stated that in the Town Attorney Report section, it should say which Town Attorney report the Chairman was referring to.

She stated that the second paragraph on page 2 should say that the Commission gave a lot of notice about the questions, and that she would appreciate more notice from the Town Attorney so that they can ask more questions of the Town Attorney.

Commissioner Turner stated that the next paragraph should not say that the K7 does not move forward if it is a new dealer's license, as a K7 does not have to be a new dealer. She stated that it is not about new dealer license, it is just license. Commissioner Urbanowicz stated that it is probably a new application for a dealer license.

Commissioner Turner stated that under Old Business it should say that Ms. Whitten said the applicant made his presentation at the previous meeting, and that the applicant did not make a presentation nor did he answer any questions. She stated that this is regarding the auto buying place they just finished a few weeks ago.

Commissioner Turner stated that the second paragraph on page 3 should say the reason the Commission took a 5-minute recess, which was that they had not received all of the documents and Laurie Whitten went to her office to retrieve them.

Commissioner Turner stated that she would like her notes sent to the Secretary so that the minutes can be corrected.

Mr. Rachele stated that the corrections would not be in those particular minutes but rather will be noted in tonight's minutes. Commissioner Neville asked if the Commission should be voting on these minutes. Chairman Urbanowicz stated that they should vote to approve them with the changes that Commissioner Turner suggested.

**Motion:** Commissioner Mastroberti made a motion, seconded by Commissioner Turner, to approve the minutes of the December 27, 2022 Regular meeting as amended.

The motion passed with a 4-0-2 vote with Commissioners Neville and Stroiney abstaining.

**Votes: 4-0-2**

**Other Business**

Commissioner Turner requested information on the Yarde House. Mr. Rachele stated that it is slowly coming down. Commissioner Turner stated that it looks like they are down to a frame on the first part. Commissioner Neville stated that it looked to him like they had been hit several times, to which Mr. Rachele replied that it was hit again during the process of him taking it down. He stated that he will address it this week.

Commissioner Turner asked if Mr. Rachele is heading to Pheasant Hill anytime soon, to which Mr. Rachele replied that he is for the third go-around.

Commissioner Plopper asked what is going on with the Toyota place where they buy and sell cars. Mr. Rachele stated that it was approved by the Commission and the PZC. He stated that the applicant was contacted via email last week telling him that the application or the K7 has to be consistent with the approval. Mr. Rachele stated that he is currently in violation and he and the property owner will be sent either a citation or another letter addressing it. Commissioner Turner asked what is meant by violation, to which Mr. Rachele replied that if a citation is issued then he will be fined. Commissioner Turner asked if a citation has been issued, to which Mr. Rachele replied that it has not.

Mr. Rachele stated that the applicant received the Special Use Permit approval from the PZC, but he has not complied with the conditions and is in violation as he cannot operate. He stated that they will bring it to his attention again tomorrow. Commissioner Turner stated that she wants to make sure the conditions from PZC are physically connected to the K7. Mr. Rachele stated that the conditions of approval can be stapled to or made part of the site plan application.

Commissioner Turner stated that the applicant needs to fill out the certificate of compliance.

**Adjournment**

**Motion:** Commissioner Neville made a motion to adjourn.

Prepared by:

Elizabeth Bouley, Recording Secretary

Respectfully Submitted,

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Mary Ann Turner, Secretary