

ENFIELD ZONING BOARD OF APPEALS
REGULAR MEETING
MINUTES
MONDAY NOVEMBER 27, 2023, 7:00 PM
ENFIELD TOWN HALL – COUNCIL CHAMBERS
820 ENFIELD STREET – ENFIELD, CT

RECEIVED
ENFIELD TOWN CLERK
2023 DEC -8 AM 11:20
Shela M Bailey

1. Call to Order

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

3.. Roll Call

Members Present: Chair Urbanowicz, Commissioners, Mary Ann Turner, Kelly Davis, Charles Mastroberti, and Richard Stroiney.

Also present: Rick Rachele, Certified Zoning Enforcement Officer, and Recording Secretary Sandie Barone

5. Town Attorney Report

a. Executive Session-

Motion: Commissioner Turner made a motion, seconded by Commissioner Davis, to move into Executive Session at 7:05PM.

Motion: Commissioner Turner made a motion, seconded by Commissioner Davis, to come out of Executive Session at 7:21PM.

No motions or votes were taken in the Executive Session.

8. New Business:

- a. ZBA# 2023-11-09: 98-106 Pearl St-** Application seeking relief from Section 8.122 Use Table for Thompsonville Districts; Grey's Athletic Association, Inc. Applicant, Marie Rose LLC, Owner; Map 24/Lot 158; TD-2 Zone.

Attorney Carl Landolina and Russell Day, President of the Grey's Athletic Association were present at the meeting to discuss the application. The Grey's Athletic Association was before the ZBA on July 24 requesting the same variance at the property on High St, Unit 7. However, negotiations with that place fell apart with the property owner. Attorney Landolina read into the record a letter stating that Grey's Athletic Association abandons and relinquishes the right to use the variance for its intended purpose at High Street Unit 7.

Motion: Commissioner Turner made a motion to close the public hearing, seconded by Commissioner Stroiney.

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

Commissioner Turner said that she wanted to put the same conditions that they put on the previous location/application approval. A variance approval like this will stay with the property forever. If the Grey's Athletic Association decides to move somewhere else without abandoning

the variance, then this variance will stay with the property. This cannot be a condition on the approval but it can be a request.

Chair Urbanowicz said that they could add a condition that it be a club license only.

Motion: Commissioner Turner made a motion to approve **ZBA #2023-11-09-106 Pearl St.**, seconded by Commissioner Mastroberti with the following conditions:

- The variance for the class 5 liquor permit and private club may not be recorded until such time that the Planning and Zoning Commission Special Use Permit is granted.
- This variance is limited to 106 Pearl Street Marie Rose LLC, Owner; Map 24/Lot 158; TD-2 Zone as presently constituted footprint and will be limited to a club license only.

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

- b. ZBA# 2023-11-8-10 Wheeler Dr.** -Application for a variance seeking relief from Section 4.10.3 Special Requirements for Legal Non-Conforming Lots under 33,000 square feet; Daniel Smith, Applicant/Owner; Map 80 Lot 165. LOD/R-33 Zone.

Attorney Landolina representing the applicant Dan Smith, the owner of 10 Wheeler Drive, was present to discuss the application.

Chair Urbanowicz read into the record the definition of a variance.

Attorney Landolina stated this is a request to replace a wood retaining wall that has been there for over 40 years with a concrete wall. The concrete wall will be in the same location and same height.

Dan Smith 10 Wheeler Drive

Attorney Landolina asked Dan Smith questions pertaining to the retaining wall to show that the wall has been there for several years.

Travis Buck 26 West Shore Drive

Mr. Buck said that he removed the retaining wall for Dan Smith. Attorney Landolina asked Mr. Buck questions pertaining to the condition of the retaining wall before it was removed. Mr. Buck provided pictures of the retaining wall to Attorney Landolina. Attorney Landolina emailed those pictures to Rick Rachele on Monday, November 27, 2023, at 7pm, just before the meeting started.

Motion: Commissioner Turner made a motion, seconded by Commissioner Stroiney to go into recess to have Mr. Rachele print the pictures that Attorney Landolina emailed.

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

Mr. Rachele handed out the pictures to the Commissioners to review and discuss.

Motion: Commissioner Turner made a motion to close the public hearing, seconded by Commissioner Stroiney.

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

Motion: Commissioner Turner made a motion to approve ZBA# 2023-11-8-10 Wheeler Dr, seconded by Commissioner Davis with the following conditions:

- Must submit an updated plan with the zoning table corrected.
- “The no zoning violations” be removed by the LLS.
- The footing and the wall must be no closer than 4.9 feet at the street side and no more than 6.2 feet at the water side.
- The variance is for the construction of a retaining wall.

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

9. Approval of Minutes

a. October 23, 2023

Commissioner Turner made a motion, seconded by Commissioner Stroiney, to approve the minutes for October 23, 2023.

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

11. Other Business

- 2024 meeting calendar

Commissioners discussed changing December 24, 2024, to December 16, 2024.

Commissioner Turner made a motion to approve the meeting calendar with one change, seconded by Commissioner Stroiney.

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

Commissioner Turner made a motion to nominate Richard Stroiney as interim Vice Chair, seconded by Commissioner Davis.

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

- Discussion on Certified vs. Certified/Return Receipt

Commissioner Stroiney made a motion to eliminate the return receipt, seconded by Commissioner Turner.

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

Commissioner Turner read into the record the letter of resignation from Tim Neville.

12. Adjournment- Commissioner Turner made a motion, seconded by Commissioner Stroiney to adjourn the meeting.

Motion passed unanimously.

The meeting was adjourned at 9:27 PM.

Next meeting, December 18, 2023.

Prepared by:

Sandie Barone, Recording Secretary

Respectfully Submitted,

Mary Ann Turner, Secretary