



**MINUTES
ZONING BOARD OF APPEALS
REGULAR MEETING**

April 22, 2024

7:00 PM - Council Chambers

https://www.youtube.com/watch?v=-3_3D1sLfeE

1. CALL TO ORDER

Chair Urbanowicz called the meeting to order at 7:02 pm.

2. FIRE EVACUATION ANNOUNCEMENT

Fire evacuation information was announced.

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Richard Stroiney, Andrew Urbanowicz, Mary Ann Turner, Christine DeBonee

Absent: Matt Despard, Charles Mastroberti

Commissioner DeBonee was seated as a regular member.

Also present was Zoning Enforcement Officer; Rick Rachele, and Recording Secretary; Rebecca Jones.

5. OLD BUSINESS

A. Legal Notice

6. NEW BUSINESS

A. Legal Notice

Commissioner Turner read the legal notice for ZBA# 2024-03-22 - 348 Hazard Avenue into the record.

B. ZBA# 2024-03-22 – 348 Hazard Ave – Application to appeal a Cease & Desist Order of Section 5.20-Business Use Table; Matt Deroma, Applicant; 348 Hazard Ave LLC, Owner; Map 83/Lot 263; HVBL Zone

Appellant Matt Deroma was present for discussion. Mr. Deroma expressed concern related to photos being taken of his children while on the property. Chair Urbanowicz notified the appellant that this is outside this board's jurisdiction and directed him to contact the Town Manager regarding those concerns. Mr. Deroma is appealing the timeline laid out by Mr. Rachele in the Cease and Desist order. It is his opinion that the Town of Enfield is forcing

him to break the lease with his tenant. Mr. Deroma's neighbor, Toni Royal, has lived next door for over 30 years and the building behind the property has always been used as a warehouse. There has been much confusion as to what is allowed in the space. Pictures of the property since the tenant's departure were shared. Mr. Deroma shared what he believed to be the timeline of events between the issuance of the Cease and Desist and the recent IWWA meeting. It is his opinion that he is now in compliance. Ms. Royal asked about allowable uses for the warehouse going forward. Chair Urbanowicz explained what this board's role is in this appeal.

Mr. Rachele provided an overview of this violation and explained that there have been violations given to the previous owner for the same use. Trees that were recently planted should have been planted during the 2020 IWWA approval. It was explained at that time that this use was not allowed. Mr. Rachele has never photographed any children while doing site visits. He was told during a meeting with Mr. Deroma that everything would be removed, and the property maintenance company would be moved out by April 1, 2024. The Cease and Desist order was issued because the move out date was not fulfilled, and the tenant was still on the property. He emailed Mr. Deroma a link to the zoning regulations, which details the allowed uses for this district. Mr. Deroma explained that the tenant wasn't trying to harm the wetlands and was just trying to load and unload equipment into the warehouse. Mr. Deroma gave his phone number to Mr. Rachele and reiterated his request about photographing his children.

MOTION by: Mary Ann Turner **seconded:** Richard Stroiney to close the public hearing.

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Christine DeBonee, Richard Stroiney, Mary Ann Turner, Andrew Urbanowicz No: None Abstain: None.

Commissioner Turner asked Mr. Rachele if the Cease and Desist will become void should the appellant remain in compliance.

MOTION by: Mary Ann Turner **seconded:** Richard Stroiney to uphold the Cease and Desist of Section 5.20-Business Use Table of ZBA 2024-03-22- 348 Hazard Avenue.

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Christine DeBonee, Richard Stroiney, Mary Ann Turner, Andrew Urbanowicz No: None Abstain: None.

Reasons for approval are that the order was lawful, the use was not permitted and the applicant failed to provide evidence to the contrary.

7. APPROVAL OF MINUTES

A. February 26, 2024

MOTION by: Mary Ann Turner **seconded:** Christine DeBonee to approve the February 26, 2024 meeting minutes.

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Christine DeBonee, Richard Stroiney, Mary Ann Turner, Andrew Urbanowicz No: None Abstain: None.

8. CORRESPONDENCE/STAFF REPORT

None.

9. OTHER BUSINESS

None.

10. TOWN ATTORNEY REPORT

A. February 29, 2024

Report was reviewed.

B. March 26, 2024

Report was reviewed.

11. EXECUTIVE SESSION

None.

12. ADJOURNMENT

MOTION by: Mary Ann Turner, seconded: Richard Stroiney to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared the motion adopted unanimously, and the meeting stood adjourned at 7:29pm.

Respectfully submitted,
Mary Ann Turner
Secretary

Rebecca Jones
Recording Secretary