

**ZONING BOARD OF APPEALS
March 30, 2023
TOWN OF EAST HARTFORD
740 MAIN STREET
EAST HARTFORD, CT 06108**



REGULAR MEETING

The Regular Meeting of the Zoning Board of Appeals was called to order by Chairman James McElroy at 7:00 p.m. in the Community Cultural Center auditorium.

PRESENT: Members: James McElroy, David Repoli, Fady El-Hachem, Erwin Hurst and Daron Ross.

Also Present: Vilma de Leon, Assistant Zoning Enforcement Official, Steve Hnatuck, Town Planner, and Juliet Relph, Clerk

ABSENT: Harrison Amadasun

Pledge of Allegiance led by Chairman, James McElroy

I. CHAIRMAN James McElroy – Called meeting to Order – 7:00 p.m.

II. HEARING OF ITEMS TO COME BEFORE THE BOARD, CALL OF ITEMS:

1. ONS Investments, LLC, **1140-1162 Burnside Avenue**, is appealing the order of the order of the Assistant Zoning Enforcement Official to Cease and Desist the operation of two churches and a business doing special events (public assemblies), a violation of **Section 402.1** – Permitted Uses and **Section 402.3** – Special Permitted Uses of the zoning regulations (**Zone B-2**). [**Postponed to March 30, 2023, meeting by the request of the appellant**].
2. Emanuela Oseep, **81 Saunders Street**, request a variance from **Section 2.5.A.2**, to permit a garage of **200 sq. ft.** on the side of the house, in front of the rear wall of the house. (**Zone R-4**).

III. HEARINGS DISCUSSION AND BOARD DECISIONS:

1. ONS Investments, LLC, **1140-1162 Burnside Avenue**, is appealing the order of the order of the Assistant Zoning Enforcement Official to Cease and Desist the operation of two churches and a business doing special events (public assemblies), a violation of **Section 402.1** – Permitted Uses and **Section 402.3** – Special Permitted Uses of the zoning regulations (**Zone B-2**). [**Postponed to March 30, 2023, meeting by the request of the appellant**].

ONS Investments was represented by **Prerna Rao, Esquire**.

Amanda White – owner of the business “Soiree”, a business doing special events (public assemblies), a violation of Section 402.1 said she attempted to remedy the problems by going to Town hall several times asking for guidance. Ms. White received information from the Building office but only other suggestions she received was “land use meeting”. She was aware

that she needed a permit and asked for 30 days to rectify the problem and get the necessary permits.

Under zoning regulations, this business cannot be located within a commercial zone. The other two businesses are listed as churches but do not function as churches, they are considered as meeting spaces.

Roy Wright representing First United Church of Jesus Christ stated that in 2004 the space was being used as a church but now it is a meeting place (social basis).

The owner of ONS Investments, LLC stated that the property was bought in 2016 and the spaces were previously churches, and nothing was altered.

Fady El-Hachem made a motion to deny the appeal Seconded by Daron Ross. [Appeal denied by a vote of 4-0]. Mr. David Repoli recused himself for voting.

THE REASON FOR DENIAL IS:

The granting of this variance would not substantially serve the public convenience and welfare and would not be in accordance with the lawful intent and purposes of the zoning regulations.

2. Emanuela Oseep, **81 Saunders Street**, request a variance from **Section 2.5.A.2**, to permit a garage of 200 sq. ft. on the side of the house, in front of the rear wall of the house. **(Zone R-4)**.

Mr. Oseep would like to install a pre-built garage 20 feet from property line – 10 feet from the dike. Driveway was expanded about a year ago and it's the last house on the street.

David Repoli made a motion to approve the variance and seconded by Fady El-Hachem. [Variance approved by a vote of 5-0].

THE REASON FOR APPROVAL IS:

Relief can be granted without impairment to the integrity of the zoning regulations.

IV. OLD BUSINESS - NONE

V. NEW BUSINESS - NONE

VI. MISCELLANEOUS – NONE

VII. APPROVAL OF ZBA MINUTES FOR February 23, 2023

Erwin Hurst made a motion to approve the minutes and Seconded by Daron Ross. Vote 5-0

VIII. PAYMENT OF BILLS

A. Payment of Clerk - \$100.00

David Repoli made a motion to remit payment to the clerk. Seconded by Erwin Hurst. Vote 5-0

IX. ADJOURNMENT - There being no further business –

Erwin Hurst made a motion to adjourn at 8:30pm – Seconded by David Repoli. Vote 5-0

The next regular meeting of the Zoning Board of Appeals is scheduled for Thursday, April 27, 2023.

Respectfully submitted by Juliet Relph, Clerk.