

**ZONING BOARD OF APPEALS
FEBRUARY 23, 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 at 50 Chapman Place.

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, Consulting 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. Kaye Simpson, 62 Adam Street is appealing the order of the Assistant Zoning Enforcement Official to Cease and Desist the operation of a short-term rental business (Airbnb) in residential zone, a violation of **Section 304.1** Permitted uses of the zoning regulations. (**Zone R-4**) [**Continued from January 26, 2023**]
2. Sabrina Agbede, **40 Jefferson Lane**, is appealing the order of the Assistant Zoning Enforcement Official to restore the land in the front and back yards to its original state, a violation of **Section 227.2(a)** – Landscaping – General Requirements and **Section 237.3(a)** – Front Landscape Area of the zoning regulations (**Zone R-3**).
3. ONS Investments, LLC, **1140-1162 Burnside Avenue**, is appealing 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 until the March 30, 2023, meeting by the appellant**].

III. HEARINGS DISCUSSION AND BOARD DECISIONS:

1. Kaye Simpson, 62 Adam Street is appealing the order of the Assistant Zoning Enforcement Official to Cease and Desist the operation of a short-term rental business

(Airbnb) in residential zone, a violation of **Section 304.1** Permitted uses of the zoning regulations. **(Zone R-4) [Continued from January 26, 2023]**

Chairman McElroy said there were no determination from the Corporate Counsel, they do not see any violations and would like to make a motion to uphold the appeal.

Chairman McElroy made a motion to uphold the appeal and seconded by David Repoli. Motion to uphold the appeal approved 5-0.

THE REASON FOR APPROVAL IS THAT relief can be granted because the appellant requested is not in conflict with the spirit and intent of the zoning regulations.

2. Sabrina Agbede, **40 Jefferson Lane**, is appealing the order of the Assistant Zoning Enforcement Official to restore the land in the front and back yards to its original state, a violation of **Section 227.2(a)** – Landscaping – General Requirements and **Section 237.3(a)** – Front Landscape Area of the zoning regulations **(Zone R-3)**.

Sabrina and Akeem Agbede is appealing the order to restore their front and back yards to its original state – they thought the order was frivolous and they were trying to beautify their home. The neighbors loved it except for that one neighbor who complained and sent in photos. They said it was a great addition to the neighborhood and would like to continue their renovations.

Fady El-Hachem made a motion to denied the appeal and seconded by Daron Ross. Appeal denied 5-0.

The reason or Denial is:

The granting of this appeal 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.

3. 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 until the March 30, 2023 meeting by the appellant].**

David Repoli made a motion to postpone the hearing and seconded by Daron Ross. Motion approved 5-0.

IV. OLD BUSINESS - NONE

V. NEW BUSINESS - NONE

VI. MISCELLANEOUS – NONE

VII. APPROVAL OF ZBA MINUTES FOR January 26, 2023 – corrections

Kaye Simpson – 62 Adams Street 3rd paragraph –

It was incorrectly noted that Ms. Simpson stated that the house is not an Airbnb but is a rooming house....it should be “the house is not an Airbnb but is a short term rental”.

David Repoli made a motion to approve the minutes with the corrections. Seconded by Erwin Hurst. Motion approved 5-0.

VIII. PAYMENT OF BILLS

A. Payment of Clerk - \$100.00

Daron Ross made a motion to remit payment to the clerk. Seconded by Fady El-Hachem. Vote 5-0

IX. ADJOURNMENT - There being no further business –

David Repoli made a motion to adjourn at 8:15pm – Seconded by Erwin Hurst. Vote 5-0

The next regular meeting of the Zoning Board of Appeals is scheduled for Thursday, March 30, 2023.

Respectfully submitted by Juliet Relph, Clerk.