

**ZONING BOARD OF APPEALS – REGULAR MEETING  
MONDAY, JUNE 5, 2023 7:30 P.M.  
ZOOM MEETING PLATFORM**

**Present:** Chair Jacqueline Isaacson, Secretary Shirley Williams, Commissioner Seth Pitts, Commissioner Alan Budkofsky

**Alternates:** Commissioner Tiffany Mohammed, (voted)

**Absent:** Commissioner Mark Mitchell, Commissioner Jennifer Marshall-Nealy, Commissioner David Kamis

**Also Present:** Mr. Justin LaFountain, Director of Planning & Land Use, Ms. Lynda Laureano, ZEO

**I. Call to Order:** Chair Isaacson called the meeting to order at 7:30 p.m.

**II. Roll Call:** A Quorum was established with 4 members and 1 alternates.

Commissioner Williams read the call of the meeting: This appeared in the Hartford Courant published May 26th, 2023, zone six and June 2, 2023, zone six. Legal Notice: the Town of Bloomfield ZBA meeting, notice is hereby given that the ZBA Commission will conduct public hearings for a meeting on June 5, 2023, commencing at 7:30 p.m., via the zoom platform to consider the following: Certificate of Approval of Location per Section 9.8 of the Bloomfield’s Zoning Regulations for a used car dealer and repair shop at 15 Southwood Drive, I-2 industrial district, applicant: Yuniel Medina, agent, owner: K&S Southwood, LLC.

**III. New Business:**

- a. Certificate of Approval of Location per Section 9.8 of the Bloomfield’s Zoning Regulations for a used car dealer and repair shop at 15 Southwood Drive, I-2 industrial district, applicant: Yuniel Medina, agent, owner: K&S Southwood, LLC.**

Mr. Emanuele A. Mangiafico, Esq., was the attorney at this meeting representing the Applicant. The Applicant was seeking a Certificate of Approval of Location per Section 9.8 of the Bloomfield’s Zoning Regulations for a used car dealer and repair shop. On April 4, 2023, the Applicant appeared before the TPZ Commission for a Special Permit to allow a used car and repair site at 15 Southwood Drive. The Applicant received an approval from the TPZ Commission for their Site Plan. The Applicant also received a favorable letter from Mr. Justin LaFountain endorsing the location as a repair and used car site. However the Applicant did not receive an approval from the ZBA Commission at the May 8, 2023, ZBA Commission meeting.

At the May 8, 2023, ZBA meeting Ms. Laureano read the 6 conditions of the Legal Standard and she also read CGS 14-54, Sec. 14-54, which has been included here in bold print. **Legal Standard; Section 9.8.C – in reviewing a Certification of Location Approval application, the Commission acts as an agent of the State of Connecticut, not in a zoning capacity, and the notice provisions and other provisions of CGS Chapter 124 (Zoning) shall not apply. As an agent of the State of Connecticut, the Commission serves solely to determine whether a Certificate of Location Approval should be issued based upon such consideration as:**

- (1) Whether the use is permitted in the zoning district;**
- (2) The suitability of the location in view of traffic, intersecting streets, width of highway, effect on public travel, and other conditions;**
- (3) The relationship of the proposed use or operation with respect to schools, churches, theaters, playhouses or other places of public gathers.**

**ZONING BOARD OF APPEALS – REGULAR MEETING  
MONDAY, JUNE 5, 2023 7:30 P.M.  
ZOOM MEETING PLATFORM**

- (4) Whether the proposed use of location would imperil the safety and welfare of the public;
- (5) Whether the proposed use of location would have a detrimental effect on the value of nearby properties or development thereof; or
- (6) Whether there has been material change in conditions which might reverse a decision of granting or denying a previous application.

**Ms. Laureano also read the CGS 14-54, Sec. 14-54. Location to be approved by local authorities. Any person who desires to obtain a license for dealing in or repairing motor vehicles shall first obtain and present to the commissioner a certificate of approval of the location for which such license is desired from the board of authority designated by local charter, regulation or ordinance of the town, city or borough wherein the business is located or is proposed to be located, except that in any town or city having a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be approved by the board of appeals. In addition, thereto, such certificate shall be approved by the local building official and local fire marshal. The provisions of this section shall not apply to (1) a transfer of ownership to a spouse, child, brother, sister or parent of a licensee, (2) a transfer of ownership to or from a corporation, which a spouse, child, brother, sister or parent of a licensee has a controlling interest, or (3) a change in ownership involving the withdrawal of one or more partners from a partnership.**

The Certificate of Approval of Location was not approved by the ZBA Commission at the May 8, 2023, meeting.

Mr. LaFountain stated the State Statues are the determining factor in this application. He gave the Town’s Attorney Mr. Needelman an opportunity to review the application. Mr. Needelman recommended the application return to the ZBA Commission for approval based on the State Statues.

Chair Isaacson requested Mr. Needelman appear before the ZBA Commission with feedback when reviewing an application that involved the ZBA Commission. She also closed the public hearing for the Certificate of Approval of Location.

**Commissioner Pitts made a motion to approve the Certificate of Approval of Location per Section 9.8 of the Bloomfield’s Zoning Regulations for a used car dealer and repair shop at 15 Southwood Drive, I-2 industrial district, applicant: Yuniel Medina, agent, owner: K&S Southwood, LLC. Commissioner Williams second the motion. Chair Isaacson voted yay, Secretary Williams voted yay, Commissioner Pitts voted yay, Commissioner Mohammed voted yay, and Commissioner Budkofsky abstained. (The Certificate of Approval of Location passed 4/0/1).**

**IV. Approval of the Minutes:**

- a. February 6, 2023

The minutes were postponed until the next ZBA Commission meeting.

**V. Adjournment:**

**Commissioner Budkofsky made a motion to adjourn the meeting at 8:01 p.m., and Commissioner Pitts second the motion. The Commission voted unanimously to approve the motion.**

**NEXT MEETING: July 10, 2023**