

Audrey Beck Municipal Building  
Mansfield Town Hall  
4 South Eagleville Road  
Council Chambers

## **MINUTES (DRAFT)**

I. CALL TO ORDER and ROLL CALL: Chairman Will Bigl called the meeting of the Housing Code Board of Appeals to order at 1:00 p.m in the Council Chambers at the Audrey P. Beck Building. Members present were David Spencer, Will Bigl, Bill Briggs, and Charles Wiggins. Also present was Michael Ninteau, Director, Keith Podrebartz, Housing Inspector from the Department of Building & Housing Inspection Karen Sylvester, Secretary to the Board of Appeals. In attendance was appellant Aida Ghiaei.

### II. BUSINESS MEETING:

#### A. Hearing of Appeal:

APPLICATION FOR APPEAL:  
PROPERTY:

Received March 15, 2022  
1620 Storrs Road

REASON FOR APPEAL: Appeal for overcrowding. As mentioned during previous citation that resulted in inspection and approval by town inspector, this house is legal, owner occupied with an in-law unit and grandfathered for four tenants. Hence, the owner has the right to keep as many cars on the property, as well as any other applicable law for property owners including but not limited to trespassing.

Members reviewed the Applicant's appeal submittal. The Chairman opened the hearing.

Michael Ninteau, Director of Building & Housing Inspection on behalf of the Town has taken the position that the property is subject to the Overcrowding Ordinance. Michael Ninteau handed over the appeal to Keith Podrebartz to discuss evidence of the overcrowding case at 1620 Storrs Road. Aida Ghiaei's position is that she currently lives at 1620 Storrs Road as her primary residence, exempting her from the overcrowding citation.

The following exhibits were provided to Members from the Building & Housing Inspection Department:

- Chronology for 1620 Storrs Road 2<sup>nd</sup> Overcrowding Case
- Application for Appeal & Copy of Check with Applicant's current address
- Letter from A. Ghiaei stating 1620 Storrs Road is her full-time residence
- Voter Registration showing A. Ghiaei lives at 61 Birchwood Hghts Road
- Vehicle Registration shows no registrations of vehicles under A. Ghiaei
- Assessor Property Record – 1620 Storrs Road (Print Date: 3/30/2022)
- Assessor Property Record – 61 Birchwood Hghts (Print Date: 3/30/2022)
- Notice of Certificate Revocation (2/23/2022)

- Notice of Certificate Revocation Letter sent Certified and first class (2/28/2022)
- Appeal Application Submitted (03/15/2022)
- Chronology for 1620 Storrs Road 1<sup>st</sup> Overcrowding case.
- 1<sup>st</sup> Overcrowding Citation, during housing inspection, tenant stated, “8 tenants live here” (8/18/2021)
- Overcrowding Citation Letter Sent (9/13/2022)
- Overcrowding Citation & Certificate Revocation Letter Sent (10/5/2022)
- B. Funk inspected overcrowding-overcrowding approved. Efficiency appeared to be vacant.
- B. Funk questions fines still outstanding (10/25/2022)
- M. Nineteau spoke with owner, fines waived. (10/26/2022)

Housing Inspector, Keith Podrebartz presented arguments that based on the documents, the current use of subject property, as an owner occupied rental, that the owner does not reside on the subject property, and the property cannot be exempt from any of the Applicable Ordinances. Aida Ghiaei presented arguments citing basis of definition of “owner occupied “as listed on the housing code of owner occupied. A. Ghiaei also asked why the first overcrowding case was dismissed but not this second overcrowding case. Mr. Podrebartz cited that A. Ghiaei’s primary residence is at 61 Birchwood Heights, and not that of 1620 Storrs Road. Voter registration currently has A. Ghiaei residing at 61 Birchwood Heights Road. Further discussion between the board members and appellant, concluded that A. Ghiaei knew the issues from the first overcrowding and continued to repeat overcrowding a second time. It was also mentioned by the board, that A. Ghiaei, continued to have too many tenants on the property. Proof presented to the board also indicated that A. Ghiaei was not staying at 1620 Storrs Rd, at least 6 months and 1 day out of the year. Board members did ask questions for clarification from A. Ghiaei’s position of having multiple other rentals, as well as a primary residence listed in the Town of Mansfield as 61 Birchwood Heights. A motion was made by Chairman Wilfred Bigl to deny A. Ghiaei’s request to abolish the second overcrowding citation. Motion was seconded by Charles Wiggins, all in favor, request denied, motion approved.

IV. ADJOURNMENT: Motion was made by Bill Briggs and seconded by Charles Wiggins to adjourn the meeting. There being no further business to be presented, the Chairman adjourned the meeting at 2:04 p.m.

Respectfully submitted,  
*Karen Sylvester, Secretary*