

**ZONING BOARDS OF APPEALS**  
**May 25, 2010**  
**PUBLIC HEARING**

Charles Marino called the meeting to order at 6:49 P.M. with the following in attendance:

Charles Marino, Chair	Public – 0
Arlene Schwartz-Regan, Vice-Chair	Steven S. Macary, ZEO
Basiliza MacCalmon, Secretary	Sheryl Kimiecik, Secretary
Edward Rachuba	
David Cronin, alternate	

- 1. APPEAL #1934** –Walter P. Nelson seeking a variance of the Naugatuck Zoning Regulation Section 5.3 minimum setbacks from street line and Section 43.6 for a Mud Room/Laundry Room located at 604 Church St.

Charles Marino read the legal notice into the record. Basilza MacCalmon read Appeal #1934 into the record. She also read a letter from Fran and Kevin Nixon which stated their approval of the Mud Room addition. Mr. Nelson of 604 Church Street explained to the Commission his intentions for the property to build a 10x16 Mud Room/Laundry Room addition to his house and showed them a map of the house as well as pictures. Edward asked if there was any reason for not putting the addition off the back of the house. Mr. Nelson replied that there is currently a deck there. Arlene asked Steve if the applicant would need a variance to put it in the back next to the deck. Steve replied no. Mr. Nelson explained that it would not be possible to put it next to the deck as the dining room is there. Arlene said that the variance is supposed to be granted pertaining to the land, not the structure of the house. The discussion continued regarding the placement of the addition and the necessity for a variance. Arlene asked why the addition had to be so big. Mr. Nelson replied that in the future they may want to use it for a spare room. David Cronin asked if there is 3 ft. between the structure and the neighboring drive way. Mr. Nelson said that there is about 10 ft. Steve asked how far the house is from the property line. Mr. Nelson replied that it is 15 feet from the property line. Steve asked how big the addition would be and Mr. Nelson said that it would be about 10 ft. Steve said that a 5 ft. variance would be needed and that he told Mr. Nelson not to get a survey of the property until getting a yes or no from the Commission. David asked shouldn't the commission know how many feet there are. Steve said the Assessors map is what they have to go by. A discussion took place regarding how many feet are needed for the variance. Arlene stated that the Commission would feel better if it was a five foot variance and asked for it to be put into the decision tonight. Steve asked what kind of variance the application stated. Arlene replied that they are asking for an 8 ft. variance. Mrs. Nelson of 604 Church Street spoke to the commission and said that where the addition is going there is a driveway and that the Nixons live way up in the back and that there is no reason for the Nixon's to stop the addition. She said that she didn't understand where the commission was coming from with all of the discussion. Arlene explained that when the Commission gives variances it's supposed to pertain to the land and it has to be a problem with the land where there is no other possible place to build it. David said that when he went to visit the property Mrs. Nixon came down the driveway. He asked her if she knew where the property line was, she

replied that she didn't know but that she had no problem with the addition being put in. Charlie asked that a stipulation be put into the motion that there cannot be an exit or entrance into the mud room/laundry room from the outside and that it be closed in so that down the road it cannot be rented out as an apartment. A discussion took place regarding the entrances and exits to the house that currently exist.

There was no public comment

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**VOTED:** 4-1-0, on a motion by Edward Rachuba and seconded by David Cronin to **GRANT** Appeal #1934 with a 5 ft. variance instead of an 8 ft. variance. Charles Marino opposed the motion.

2. **VOTED** on a motion by Edward Rachuba and seconded by Basilza MacCalmon to approve the September and October meeting minutes.
3. On a motion by Edward Rachuba and seconded by David Cronin to adjourn the meeting at 7:28 P.M.

RESPECTFULLY SUBMITTED: Basiliza MacCalmon, Secretary/sk