

**ZONING BOARDS OF APPEALS
MAY 26, 2009
PUBLIC HEARING**

Charles Marino called the meeting to order at 6:30 P.M. with the following in attendance:

Charles Marino, Chair	Public – 5
Arlene Schwartz-Regan, Vice-Chair	Steve Macary
Basiliza MacCalmon, Secretary	David Cronin, alternate
Edward Rachuba	

1. Charles Marino took attendance. Chairman Marino appointed David Cronin as a regular voting member in place of Juan Gonzales.
2. The Commission tabled the January and March meeting minutes to the next meeting so that they could listen to the January meeting tape concerning the correction of decision concerning the Weid Appeal.
3. **APPEAL #1926** – Edward and Dawn Iadarola will seek a variance of Section 43.6 of the Naugatuck Zoning Regulations for property located 497 Cherry Street Ext, Naugatuck, CT.
Steve Macary noted the mailing have been received in the office. He noted that half of Cherry Street Extension is zoned industrial. He stated the applicant was in for a deck permit a few years ago. Edward Iadarola stated he is here because he wants to put an addition on his house. The addition would be used for his elderly father. It would consist of a room and a half and a bathroom. There would not be a kitchen. There was a discussion over the grade of the yard. Mr. Iadarola stated the addition would be 14 feet out toward the pool and would have a 2 foot cantilever. Arlene Schwartz-Regan noted this would be extending a non-conforming use and that all the houses in the neighborhood are non-conforming. Edward Rachuba asked about changing the zone to a RA-1. Steve Macary stated the Zoning Commission would be doing that in the near future. He noted that last year a lot of zone changes had been done. He said the zone was created for the chemical property. Arlene Schwartz-Regan noted none of his neighbors were present at the meeting. Charlie Marino said they should read the regulations and state statue which says reasonable use of land not maximum which this appears to be. The Commission had a discussion on pool regulations.
There was no Public Comment.
Arlene Schwartz-Regan stated this is blatantly non-conforming and they shouldn't extend the non-conformity, but if they are going to change the zone they should take that into consideration. Steve Macary said it is not on the zoning agenda to change the zone at this time. Edward Iadarola noted that other houses on the street have put on additions and he doesn't see where there is any difference. Edward Rachuba said that if it was zoned RA1 then he wouldn't be before the Commission. Commissioner Schwartz-Regan said the applicant has a hardship because the Borough permitted the home to be built.
VOTED: Unanimously on a motion by Edward Rachuba and seconded by Basiliza MacCalmon to **APPROVE** Appeal #1926 a variance of Section 43.6 of the

Naugatuck Zoning Regulations for property located 497 Cherry Street Ext, Naugatuck, CT.

4. **APPEAL #1927** – Dina Nocerino will seek a variance of Section 44.1.2 of the Naugatuck Zoning Regulations for property located 628 New Haven Road, Naugatuck, CT.

Jerry Nocerino addressed the Commission, stating he was Dina’s father and partner of Nocerino Family LLC. Dina Nocerino told the Commission they are the new owners of the shopping center. There is vacant space that use to be South Beach. It consists of 4,000 sq. feet and has 2 floors. They are looking to obtain a liquor license for the space in hopes to make it more marketable for a new tenant. Arlene Schwartz-Regan asked if there would be a restaurant in the space. Ms. Nocerino said they have a gentleman looking at it now and he is interested in opening a bar/restaurant. He will serve lunch in the afternoon and dinner in the evening and have a possible bar and pool tables down stairs. Charles Marino asked the applicant for her mailings. Edward Rachuba asked if the applicant had said there was already a bar or night club in the space previously. Dina Nocerino said the use was on a private basis, for private parties and are not open to the public. Jerry Nocerino said they were advised if they got a permit for the building it would stay in place. He noted they have two potential people that are interested in the property. Edward Rachuba asked if a liquor license was approved would it apply to the whole building. Ms Nocerino said each unit has suite numbers. Jerry Nocerino stated the State dictates the liquor permits. Charles Marino said he is uncomfortable issuing a liquor permit for a second floor space. Arlene Schwartz-Regan said she feels they are trying to upgrade the area. Chairman Marino stated his concerns over a possible mud wrestling business in that space. Mr. Nocerino spoke of all the improvements his company has made to the space since they purchased it.

VOTED: 4:1:0 On a motion by David Cronin and seconded by Arlene Schwartz-Regan to **APPROVE** Appeal #1927 a variance of Section 44.1.2 of the Naugatuck Zoning Regulations for property located 628 New Haven Road, Naugatuck, CT.

<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAINED</u>
Arlene Schwartz-Regan	Charles Marino	
Edward Rachuba		
Basiliza MacCalmon		
David Cronin		

At 7:30 the Commission took a break.

At 7:40 Charlie Marino called the meeting back to order.

5. On a motion by Charles Marino and seconded by David Cronin to adjourn the meeting at 7:50 P.M.

RESPECTFULLY SUBMITTED: Basiliza MacCalmon, Secretary/rb