

**ZONING BOARDS OF APPEALS  
JULY 28, 2009  
PUBLIC HEARING**

Charles Marino called the meeting to order at 6:36 P.M. with the following in attendance:

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

1. Charles Marino took attendance. He noted there was a quorum.
2. There was no executive session with Borough Attorney Hess regarding litigation of Dasilva vs. Zoning Board of Appeals because the case was withdrawn.
3. **VOTED:** On a motion by Edward Rachuba and seconded by Basiliza MacCalmon to approve July meeting minutes.
4. **APPEAL #1929** – Thomas Hart seeking a variance of Section 24.1 Schedule B, 5.2 rear property setback, and 5.3 side setback of the Naugatuck Zoning Regulations for property located at 19A Acushnet Street.

Charles Marino read the public hearing notice into the record. Steve Macary asked the applicant how far the proposed garage is from the property line. Thomas Hart, the applicant showed the commission a sketch he did of his property showing the concrete slab he already has put down. He also showed them pictures of the current canvas car port tent which he will be replacing with a wooden structure. Steve Macary stated the applicant needs 5 ft from the rear and side setbacks. He is 2 inches short in the rear and 2 ft short on the side. Arlene Schwartz-Regan stated he has a very neat yard and house. Basiliza MacCalmon read the appeal into the record. Mr. Hart stated the slab has been down for 4 months. Charles Marino asked how many cars they owned. Thomas Hart said they have 2 cars and 1 work truck. Arlene Schwartz-Regan asked if it was a one care garage. Mr. Hart answered yes. Commissioner Marino stated they are not allowed to take financial hardships into account. Arlene Schwartz-Regan said she didn't think that was an issue. Thomas Hart said that because he is so close to the school yard he is getting a lot of debris thrown onto his property. Commissioner Schwartz-Regan felt this is a reasonable request. She stated it might not be worded well, but she has been out to the property and looked at the site. Charles Marino noted it does not state on the application that the appeal is for a garage.

Public Comment:

William Tripp, 2 Stanley Street, stated all the people present tonight are in favor of the building and have no problem with it. He noted the house is on a school route so it is a big issue with the plowing of the street in winter. He stated that Mr. Hart keeps his yard nice and neat. None of his neighbors have a problem with the garage.

Charles Marino asked if the garage would be one story. Mr. Hart answered yes; it would not be much bigger then what they see in the picture. Edward Rachuba noted the applicant has already agreed to move the garage up 2 inches from the rear of the property so they will

only need the variance for the side setback. But he asked if there was anyway he could move it off the fence anymore. Steve Macary stated the sideline will always be non-conforming. Thomas Hart noted the structure would be about 12 ft high.

**VOTED:** Unanimously on a motion by Arlene Schwartz-Regan and seconded by Basiliza MacCalmon to **GRANT** Appeal #1929 to allow the applicant to build a garage which will be 34 inches from the side line.

5. On a motion by Edward Rachuba and seconded by Basiliza MacCalmon to adjourn the meeting at 7:00 P.M.

RESPECTFULLY SUBMITTED: Basiliza MacCalmon, Secretary/rb