

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Don Floro Deli & Restaurant

Lauro Cabrera, Permittee

Don Floro Deli & Restaurant, LLC, Backer

Liquor Permit No. LIR.18166

Case No. 2010-729

Docket No. 2011-192

March 22, 2011

MEMORANDUM OF DECISION

This matter involves a new application for a restaurant liquor permit for Don Floro Deli & Restaurant, 75 Cedar Street, Norwalk, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on March 17, 2011, at which time Lauro Cabrera, permittee, appeared. The hearing was held in accordance with Section 30-39(c), Connecticut General Statutes, as a result of a legally sufficient remonstrance questioning the suitability of the proposed location. The premises is operating under the auspices of a provisional liquor permit. A remonstrant appeared on behalf of the remonstrance to oppose the application.

Based upon the evidence adduced at the hearing, we find the following facts: Liquor Control Agent Driffin conducted a thorough investigation in connection with the new application itself and the remonstrance filed in opposition to it. Agent Driffin found nothing questionable about the new application. The premises has an adequate restaurant and dining room and meets the requirements for its permit type. The area surrounding the restaurant is primarily a residential area but there are other commercial businesses on the

street. There is local zoning approval. Don Floro Deli & Restaurant is a family-run restaurant which, unless hosting a special event, usually closes at 9:00 p.m.

James DelGreco, a Norwalk resident, president of The Golden Hill Association, and the agent for the remonstrants, expressed a general concern about possible loitering and parking issues in the vicinity of Del Floro. Future improvements to the area are contemplated and Mr. Cabrera expressed a willingness to work with the community associations for everyone's mutual benefit.

Based upon the substantial evidence presented, we find the location to be suitable for a restaurant liquor permit. The determination of factual matters with regard to the suitability of the location of proposed liquor permit premises is vested with the Liquor Control Commission. Brown v. Liquor Control Commission, 176 Conn. 428, 407 A.2d 1020 (1973). Accordingly, we hereby deny the remonstrance and grant the final of the liquor permit application of Lauro Cabrera and Don Floro Deli & Restaurant.

**DEPARTMENT OF CONSUMER PROTECTION
LIQUOR CONTROL COMMISSION**

BY:

Elisa A. Nahas, Esq.
Designated Presiding Officer

Angelo J. Faenza, Commissioner

Stephen R. Somma, Commissioner

Parties:

**Lauro Cabrera, Permittee, Don Floro Deli & Restaurant, 75 Cedar Street,
Norwalk, CT 06854**

Lauro J. Cabrera, 56 Linden Street, Norwalk, CT 06851-1528

Raymond P Ragaini, 30 Winter Street, Ansonia, CT 06401

**Jim DelGreco, Agent for Remonstrants, The Golden Hill Association, 41
Elmwood Avenue, Norwalk, CT 06854**

Nonparties:

John Suchy, Director, Liquor Control Division

**Connecticut Beverage Journal, 2508 Whitney Ave., P.O. Box 185159, Hamden,
CT 06518**

Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106