

**PLANNING & ZONING COMMISSION  
ZOOM TELECONFERENCE  
MEETING ID: 98015718434  
<https://zoom.us/j/98015718434>  
TUESDAY SEPTEMBER 29, 2020**

**ATTENDANCE:** Mel Riley, Chairman; Reggie Walker, Secretary; Carlos Moreno; Arturo Gravina-Hernandez; Ceaser Cordero; Robert Morton; Kyle LaBuff; Tom Filotei

**ABSENT:** None

**OTHER:** Nick, Dennis Buckley, Zoning Official; Phillip Edwards II, Attorney Ray Rizio, Council Member Maria Pereira, Matt Takowski, John Kirkman, James Zummo, Pamela Williams, Bill Coleman, OPED Deputy Director; Cornel Miller, Robert Bouvier, Sauda Baraka, Benjamin Lovejoy, Attorney Diane Lord, Jon Kirkham, Judith Edwards, Migdalia DeJesus, Marlene Miller, Tom Ryder, Awilda Rivera, Helen, Bob Lopez

**CALL TO ORDER**

The meeting was called to order at 6:31. There was a quorum present. Chairman Riley then read the following statement into the record.

This meeting of the Planning and Zoning Commission complies with Governor Lamont's Executive Order 7b as it relates to a web based meeting. Therefore, the in person requirement is eliminated as long as a person can participate by phone or video in real time. Also, the sign posting requirement and the return receipt of notification to property owners has also been eliminated as long as the P&Z agenda has been online complying with the statutes normal earliest publication date in the Connecticut Post.

This agenda was placed on the City website and complied with that requirement. This meeting is being recorded to comply with the Open Meeting Requirements and will be available on the City web page following the meeting.

**CONTINUED ITEMS**

**C-1**  
**(20-09)**

**Text Amendment (4200 Park Ave.)**

**Petition of Jewish Home for the Elderly of Fairfield County, to amend the zone development standards of the City to allow an accessible parking structure which services congregate housing facilities a maximum allowable height of 45 feet.**

Attorney Ray Rizio was present to speak on item 20-09. A continuation of item 20-09 was requested by Attorney Rizio. There had been a meeting with Economic Development and discussion of a special permit. It was expected to be resolved by next month. If it is not resolved Attorney Rizio stated that he expected to withdraw both items C-1 (20-09) and D-1 (20-14).

instead rezone any building over 50 years old within the city, regardless of location or the zoning of the neighborhood, for any use so long as it wasn't major industrial.

She requested that her statement be read into the record:

That the application was being made solely to advance the application of 1862 East Main Street which the Zoning Board of Appeals denied because 1862 is in a zone which allows for retail, residential, and office and not light industrial. The attorney representing the development for 1862 East Main Street, in which the Zoning Board of Appeals denied the application, has now submitted a text amendment on the behalf of the client, not in the interest of Bridgeport residents or communities.

She also found it hard to believe that Attorney Rizio had just said that he'd seen this new text amendment for the first time and she had a bridge to sell to anyone else who believed that.

Secondly, that the City was already undergoing a significant rewriting of the zoning regulations; therefore this is premature and inappropriate and should be addressed as part of that in-depth undertaking of rewriting zoning regulations.

Thirdly the purpose of the text amendment is to expand powers in violation of state statutes and that, additionally, this would be setting a deeply disturbing precedent and would potentially affect every building within the City that is over 50 years old which is a massive amount of structures. She stated that this reeks of a pattern that is demonstrated during the contentious issue of the liquor store being approved and that zoning regulations ought to not be written for those politically connected or those with huge donors such as Joe Ganim or Mario Tesa. Everything that elected officials do should be in service of Bridgeport and its residents as a whole as that's who they are elected to serve and who she was elected to serve.

Therefore, she adamantly opposes the text amendment and felt it could not possibly be approved tonight without having at least a public hearing on it. She stated that there was already a process to deal with variances and it is known as the Zoning Board of Appeals. She stated that it was a flagrant attempt to circumvent the entire Zoning Board of Appeals process. She stated that she was surprised by the request at a prior meeting because Attorney Rizio makes his living, in her eyes, by ensuring his clients are approved and moved through. She stated she felt that there shouldn't be somebody paid to represent the interests of those who are trying to develop. She stated that she was totally opposed to the amendment and that she had a long-time block watch captain who lived on the street who desired to oppose as well.

Ms. Helen Losak, who resides 304 Bradley Street, came forth to speak at Council Member Pereria's request. She has been the block watch captain leader for over 20 years. She stated that she lives directly behind the building on Bradley Street. She is upset over this and is opposed to the text amendment and claims it will lower property value. She stated that the system with the Zoning Board of Appeals works well and it should be kept that way.

2) ALL SOIL EROSION AND SEDIMENT CONTROL MATERIALS SHALL BE IN PLACE PRIOR TO THE START OF THE PROJECT.

FOR THE FOLLOWING REASONS:

1) THE PROJECT AS APPROVED WILL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.

\*\* COMMISSIONER CEASER SECONDED THE MOTION.

\*\* THE MOTION PASSED UNANIMOUSLY.

#### DEFERRED ITEMS

D-2

(20-17)

827 Trumbull Ave. – Petition of Northeastern Conference of Seventh Day Adventist, D/B/A Calvary SDA Church – Seeking a special permit and site plan review to permit the expansion of the existing house of worship and grammar school facility in an R-A zone.

Mr. Philip Edwards II came forwards to speak on item 20-17. He provided a review of the proposed changes to both the house of worship and grammar school facility for the Committee. He reviewed what would happen to the buildings should the proposed changes take place.

The Committee asked what had changed from the prior proposal. There had been a review of some of the parking and there is no parking in front of the building. There have been no changes to the building itself from the prior proposal. Due to the lack of further direction the church body could make no further changes. It had been modified by the architect to meet agreements and building code. He stated that if any other city body had requests or considerations that they had not received them.

It was stated that there were multiple letters both in favor and opposed to the proposed project. It was asked if the NRZ is in opposition to the project which Mr. Edwards confirmed. Concern was raised over if Mr. Edwards had talked to the neighbors to address their concerns. Mr. Edwards stated that he had and had provided him with the number of his personal cellphone. He reviewed some of the issues that had been discussed with the Committee such as fence issues that one of the property neighbors had. There were also issues raised regarding a fire that had happened along the property line. Mr. Edwards stated that he had a letter from the Fire Marshal that documented that fire.

It was stated that he was seeking a special permit and a site-plan review. Due to the locations status as a house of worship any changes to it need to be reviewed and approved by Planning & Zoning.

Multiple letters had been received by the Commission both in favor and in opposition to the project.

Mr. Carl DeJesus of 21 Clear View Drive, Bridgeport, CT, 06606 was next to speak. He had four issues to bring up regarding the proposed project. He stated that, due to the current outbreak, it was difficult to make time in addition to the work he does additionally with property management. He has reviewed the proposed prints. He stated that the removal of the parking spaces in front of the building made little difference to him as his property was behind the building.

He reviewed issues with the drainage and how much water could properly be contained on the property for the Commission. He stated that water would be released back into the ground and not into the sewer system. He stated that this was all in compliance with WPCA requirements.

Mr. Miller asked Mr. Edwards if the building was still being utilized as a school. Mr. Edwards confirmed that the current building is already a school and the new building would permit the school to have more space. Mr. Miller asked how many students would be present. It was pointed out that the rebuttal had been finished.

Commissioner Walker commented that the project had gotten off on the wrong foot due to a lack of communication between the church and the neighbors about what was being proposed. The comments made by the contractor were unfortunate but things were moving along to resolve the outstanding issues. He stated that he did not desire to see such a project simply thrown out but that the church needed to communicate with the neighbors better.

**\*\* COMMISSIONER FILOTEI MOTIONED TO DENY ITEM 20-17 WITHOUT PREJUDICE FOR THE FOLLOWING REASON:**

**1) THE INFORMATION PRESENTED TO THE COMMISSION DID NOT ADDRESS THE BASIC SPECIAL PERMIT STANDARDS OF SEC. 14-4-4 OF THE ZONING REGULATIONS.**

**\*\* COMMISSIONER MORTON SECONDED THE MOTION.**

**\*\* THE MOTION PASSED WITH SIX IN FAVOR (WALKER, FILOTEI, MORENO, GRAVINA-HERNANDEZ, CORDERO, LABUFF) AND ONE OPPOSED (MORTON).**

It was noted that the opposition had nothing to do with zoning and had to do with dissatisfaction with the contractors of the project.

**D-1**

**(20-14)**

**4200 Park Ave. – Petition of The Jewish Home for the Elderly – Seeking a special permit and site plan review to permit the construction of a 3-story parking garage containing 143-spaces in an R-C zone.**

Item 20-14 was not discussed at this time.

**D-3**

**(20-19)**

**1862 East Main St. – Petition of 1862 East Main, LLC – Seeking an adaptive re-use of an existing commercial building into a self-storage facility in an OR zone.**

Item 20-19 was not discussed at this time and deferred until October.

**NEW BUSINESS**

**(20-22)**

wall was in poor condition and there were currently two breaches within the wall. The southern breach has crumbled and allowed debris to fall into the creek and the other one has imploded and contained the debris but still needs fixing. A notice of violation has been issued to repair the wall and remove derelict structures and debris. The application being presented is complimentary which allows them to perform work in this jurisdiction which is the knee-high water of the wall. He stated that they desired to clean the debris out of the area, create a slope, and install filter fabric and 2" trap rock and then a 3' layer of other material in both sections. The plans are not meant to be lasting and the entire wall will need to be replaced eventually.

Additionally, two office trailers are to be placed on-site for redevelopment. A quick overview of the future plans of the site was provided including its restoration. There was a discrepancy in the number of trailers to be provided but Mr. Ryder conformed that they are planning on two, not three, trailers.

**\*\* COMMISSIONER CORDERO MOTIONED TO APPROVE ITEM 20-23 WITH THE FOLLOWING CONDITIONS.**

- 1) THE TEMPORARY OFFICE TRAILERS SHALL BE REMOVED BY APRIL 1, 2022. FURTHERMORE, THE BOTTOM OF THE TRAILERS SHALL BE SKIRTED WITH DECORATIVE LATTICE.**
- 2) PLANTERS SHALL BE PLACED IN FRONT OF THE TRAILERS WITH SHRUBBERY THAT IS 95% OPAQUE YEAR-ROUND.**

**FOR THE FOLLOWING REASONS:**

- 1) THE PROJECT AS APPROVED WILL HAVE NO NEGATIVE IMPACT ON THE COASTAL AREA.**
- 2) THE TEMPORARY TRAILERS AS APPROVED WILL BE AN ASSET TO THE SITE AND FOR THOSE VISITING AND/OR USING THE MARINA.**

**\*\* COMMISSIONER LABUFF SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**(20-24)**

**1909-1929 Main St & 350 Grand St. – Petition of Maria Moura – Seeking a special permit and site plan review to permit live entertainment within the existing restaurant/catering hall facility in an OR zone.**

A representative came forwards to represent the restaurant. He stated that this was mostly straightening out paperwork and that this property was originally in a B-1 zone and had no regulations in regards to entertainment in restaurants. The restaurant has had entertainment for the past 30 years. It is mostly an application/licensing issue. He spoke favorably of the restaurant and its history with the community.

**\*\* COMMISSIONER LABUFF MOTIONED TO APPROVE ITEM 20-24 FOR THE FOLLOWING REASONS:**

- 1) FORMALIZES AN EXISTING LONG-STANDING USE AT A WELL-ESTABLISHED RESTAURANT/CATERING HALL IN HE CITY.**

**\*\* COMMISSIONER WALKER SECONDED THE MOTION.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD**