



ZONING BOARD OF APPEALS
SEPTEMBER 9, 2014
REGULAR MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace
Bridgeport, CT 06604
(203) 576-7217 Phone
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ATTENDANCE: Michael Piccirillo, Chair; Linda Grace, Secretary;
John Carolan, Maria Alves, Jack Calcutt

STAFF: Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning
Official; Atty. Edmund, Schmidt City Attorney's Office; Diego
Guevara, Design Review Coordinator; Neil Bonney, Zoning

CALL TO ORDER.

Chairman Piccirillo called the meeting to order at 6:10 p.m. A quorum was present. Chairman Piccirillo introduced the Commissioner seated and then reviewed the rules.

**D-1 (#4) RE: 113 – 117 WASHINGTON TERRACE – Continuum of Care, Inc. -
Appealing under Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and
under Sec. 8-7 of the CT General Statutes, whereby it is alleged that the Zoning
Enforcement Officer erred in his issuance of an Order to Comply regarding a group
living use in an R-B zone.**

Atty. Ray Rizio came forward and stated that the application had been withdrawn. He went on to say that the owners were only using the first and second floors.

**D-2 (#6) RE: 1380 SEAVIEW AVENUE – Cheddi Dillon (Lessee) - Seeking to
modify conditions of approval to a petition granted by the Zoning Board of Appeals
on 06-02-10, which permitted the establishment of a used car dealership in an R-C
zone and coastal area.**

Atty. Rizio came forward and handed out copies of the previous approval. Mr. Casey would like to sell business to Mr. Dillon. Mr. Casey has not been able to make a go of it as a vintage car lot. He would like to change two items on the conditions.

One condition stated that there was to be no barbwire. Atty. Rizio said that there were numerous other sites that had barbed wire on their fences and said that he had thought it was originally no razor wire. He requested this condition be changed from prohibiting barbed wire to prohibiting razor wire.

Regarding the condition involving employees, Mr. Dillon will not be doing his own repairs, and would like to have his own employees working on the vehicles.

Recently, The lot has been paved, but the arbor vitae has not yet been planted. This will be done in the near future.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 1380 Seaview Avenue.

ITEM #1 - RE: 1944, 1954 BOSTON AVENUE – City of Life (William Marshall, Lessee) - Seeking a variance of the minimum number of off-street parking spaces as required under Sec. 11-1-2 to permit the establishment of a house of worship in the existing commercial office building in an OR zone.

Mr. Marshall came forward to request a variance on parking. The current parking is sufficient if they use the day care lot. The day care's hours are different from the church's, Sundays 11 a.m. - 2 p.m. and on Wednesday night. Most of the congregation live nearby and walks to church. There are about 30 people in the congregation. Mr. Marshall has been a minister for 17 years.

Commissioner Piccirillo said that he did not see the sign on the property. Rev. Marshall said that he had taken photos.

Commissioner Grace asked how many parking places they needed. Mr. Boucher said that they needed a minimum of 20, and currently have only 8 including a handicapped space.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 1944 Boston Avenue.

ITEM #2 RE: 1427 PEMBROKE STREET – Michael Macdonnough - Seeking a variance of the 2,700 sq. ft. of property per residential unit under Sec. 5-1-3 and also seeking a variance of all nine (9) off-street parking spaces as required under Sec. 11-1-2 to legalize the conversion of a retail space into a residential unit in the existing 5-unit apartment building in an R-C zone.

Mr. Macdonnough of 1427 Pembroke Street, came forward and handed in green receipts. He stated he would like to change his storefront into a one bedroom unit. He resides in the building.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 1427 Pembroke Street.

ITEM #3 RE: 585 NORMAN STREET – Laurelwood Housing Associates Limited Partnership (Penn Lindsay, Agent) - Seeking a variances of the residential density requirement of 2,700 sq. ft. of property per residential unit and a variance of maximum height requirement of 45’ under Sec. 5-1-3, and also seeking to waive 59 of the 168 on-site parking spaces required under Sec. 11-1-2 to permit the establishment of 2 additional residential units in the existing 100-unit apartment building in an R-C zone.

Mr. Penn Lindsay and Mr. Patrick Donovan came forward. Mr. Lindsay said that they were seeking relief from conditions. Right now there are 102 parking spaces. They would like to construct an addition for a community room, with a kitchen, which will be located to the left of the main entry. It will be easier for the Meals on Wheels and the elderly. The currently community room is on the third floor, and this will be converted into 3 one bedroom units. There will be a net gain of two units, since the new community room will end up taking up one unit on the first floor.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 585 Norman Street.

ITEM #4 RE: 3115, 3129, 3135 FAIRFIELD AVENUE AND 704 COURTLAND AVENUE – 3115 Fairfield Avenue, LLC - Seeking variances of the residential density requirement of 2,700 sq. ft. of property per residential unit; 5.1’ of the minimum setback requirement; 10.5% of the maximum site coverage requirement and 11% of the minimum landscaping requirement of Sec. 5-1-3, and also seeking variances of the additional development standards of Sec. 6-1-4; five (5) of the required on-site parking spaces of Sec. 11-1-2; the prohibition of stacked parking for residential under Sec. 11-1-7, and waive the minimum parking area setback and perimeter landscaping requirements of Sec. 11-1-13 to permit the construction of a 4-story apartment building in an OR zone and coastal area.

Atty. Rizio handed in the green cards. He reviewed the history of the parcel and said that there had been an approved project in 2007 but in 2008 the market collapsed. He then submitted a copy of the amended application to insure that all the legal issues were covered. He also handed out copies of plans.

In 2008, the applicant came before the Commission for a three story residential building. Recently, the client redesigned the project and an application was submitted and

subsequently withdrawn. The units have been reduced to 43 and it is lower building. The original units had been 1,200 feet, but have been reduced to 1,000 feet. A basement will have parking, and the utilities.

The zoning regulations changed in 2010. Section 4-10-2 is a problem because it says that a structure of more than a 3 family structure will be subject to residential density. The previous zoning regulations did not address density. It does not allow the City to be developing in areas that were not zoned as residential, which is against the Master Plan. He displayed the previous elevation and said that the building design would remain the same, but be one story lower. With the new design is that with the basement parking, 50% of the parking under the building. There will be three stacked parking spaces outside.

Atty. Rizio then reviewed the various changes. Residential density needs to be reduced. Previously, there was no density requirement. The original design was for townhouses, which are no longer in demand.

The minimum setback was supposed to be at 15 feet. When it was first designed, the setback was 7.5 feet from the street. With the new regulations, it would require 15 feet, but the setback is 9.5 feet from the street.

The building and paved area are now required to be landscaped. The current proposal has the coverage at 80% and landscaping at 19.5%, but the new regulations require 70% coverage.

There is a minimum set back for parking. The design now has been reduced by taking off a floor, as requested by the NRZ and the OPED. Due to the shape of the lot, the five foot set back could be a problem. They are going to construct a white vinyl fence with arbor vitea. The building owner owns the lot next door. The angled line of the rear lot line will have the 5 foot for about 90% of the area, but the remaining 10% can't comply.

Atty. Rizio handed out a copy of the goals for the project.

These will be all market rate units and designed to take advantage of the nearby train station. There is no new upper tier housing available.

The master plan addresses the mixed uses corridor, which includes Fairfield Avenue. He read the regulations regarding this. He said that this project would help to bring commerce and provide an adequate buffer.

He then reviewed the floor plan with the Commissioners. He then requested that the Commission grant these requests.

Commissioner Calcutt asked about the mixed use and suggested ground floor retail. Atty. Rizio said that there was a sufficient amount of ground floor retail, but the parking requirement would require more parking. It would also bring more traffic to the area.

Commissioner Grace asked about the number of floors. Atty. Rizio said that there would be an elevator and FEMA compliant. The engineering report will be presented at Planning and Zoning. She had some questions about the driveway, which Atty. Rizio reviewed with her.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application.

Mr. Jerry Manning, Black Rock NRZ president, came forward to express the organization's support for this design. When the NRZ reviewed the original plan, they were not pleased with the height and other issues, including the parking and the landscaping. He said that the NRZ was aware that this was a controversial issue. He said that he felt this design would seriously add to the Black Rock corridor. He acknowledged there were issues with the neighbors and the set backs. He said that he felt that these were real concerns and hoped that something could be worked out because this a keystone project.

Mr. James White, an NRZ member, came forward in support of the project. The NRZ supports proper development and it is the NRZ's position that they support proper development. He hoped that the Commission would approve the project.

Mr. Parag Agrawal, from OPED came forward and said that RC regulations apply for the area. The main area where the project worked out was on the landscaping requirements, and parking. This is along an economic commercial corridor and blends in with the neighborhood. He said that the City supports this application.

Commissioner Piccirillo asked if there was anyone present who wished to speak against the application.

Ms. Jacqueline Hennage, a resident of Black Rock said that her name was on numerous petitions against this project. She said that there were no unusual conditions on the parcel such as use, sitting water, environmental or other land problems. The hardships were self created. Financial hardship does not qualify. She said that since they are all self imposed, the Commissioners should deny the application.

Ms. Joanne Wesson of Black Rock came forward and said that she supports adding to the tax rolls. She said that the development is not appropriate for Black Rock and does not conform to the regulations. To ignore the density and the number of vehicles would not be wise. She said that she hoped they voted against the variances.

Ms. Cathy McCarthy of Clarkson Street, came forward and said that she had a petition for the Commission with about 66 signatures against this project. She said that this would make the area more tightly congested and that parking on week-ends would be even worse. She said that as a nurse, she felt public safety would be compromised in terms of emergency vehicles access. She also explained that there would also be problems when the snow comes in terms of snow removal. Fairfield and Courtland Avenues are the main egress for the area and it is already difficult to pull out due to all the vehicles parked on the street. Ms. McCarthy said that there was no signage posted. Mr. Piccirillo said that when he was there, the sign was posted. Ms. McCarthy said she was for development but it should be within the regulations. She then submitted the five pages petition.

Ms. Marguerite Fratarcange of Clarkson Street said that she appreciated the fact that the lot was not changed. She said that originally it was 21 townhouses and now this plan had 44 rental units. She said that she didn't want this to turn into a place where people come to walk around, but won't invest in.

Atty. Rizio came forward and said that each variance had been reviewed. He said that there have been other projects that were grandfathered in. He reviewed the fact that the design had been changed because of the NRZ's concerns. The Fire Marshal did not have concerns with the proposal, and the building was moved away from Clarkson. It will be going before Planning and Zoning as required. He said that he felt that this would bring new economic life to Black Rock. This will clean up the vacant lots and put them towards the tax base.

Commissioner Piccirillo recused himself from the meeting at 7:24 p.m. Commissioner Grace took over as Acting Chair.

ITEM #5 RE: 4030 PARK AVENUE – Sacred Heart University - Seeking a use variance under Sec. 5-1-2 and a variance of the maximum height requirement of Sec. 5-1-3 to permit the construction of an academic building and parking structure in an R-A zone.

The green mailing receipts were turned in. Atty. Fitzpatrick came forward and explained Sacred Heart was the second largest Catholic University in New England. He said that the application had to do with 4030 Park Avenue. He said that the goal was to demolish the existing buildings and construction a three story academic building. The health program is currently scattered on the main campus and in Trumbull. This would bring the various classes back onto the main campus.

Mr. Kevin Harris came forward to narrate an overview of the aerial photograph of the campus lay out. He said that this would be a high quality project and cautioned everyone that the final decisions had not been made regarding materials. He then showed the current structure followed by the architectural drawings.

Atty. Fitzpatrick then spoke about the zoning in the area and the permitted uses. He said that the size and the nature of the property supports the nature of the project. He also mentioned that the Jewish Home for the Elderly in terms of height. He said that this was not a residential use. This would provide several advantages to the City and the University was a contributing member of the community, including PILOT payments, and volunteers performing large amounts of volunteer tasks in Bridgeport. He respectfully requested that the application be granted.

Commissioner Grace asked if anyone would be living there. Atty. Fitzpatrick said no. Commissioner Grace asked about the hours. Atty. Fitzpatrick said that the classes were primarily Monday through Friday, but there could be some evening and week-end classes.

Mr. Dan Grant came forward and explained that there was approximately 250 feet between the building and the eastern property line. He said that Planning and Zoning could include more landscaping, but they had more than enough. There will be less asphalt on site with the parking partially under the building.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application.

Mr. Parag Agrawal, from OPED came forward to speak in favor of the project. The project is located near the east side of the parcel, which is 8.3 acres.

Council Member Lyons came forward and said that there would be a large meeting next week with the neighbors and various others about this project. The University has been working very hard to be cooperative with the community rather than being adversarial. She said that she felt this would be beneficial to the neighborhood. She added that they had spoken with the abutting neighbors to insure this would not interfere with them.

Council President McCarthy said that he was present to represent Council Member Austin, who could not attend. He said that under the old administration, he would have been present with Council Member Lyons with about 100 neighbors in opposition. This administration has worked very hard to communicate with the neighbors. He said that there were neighbors who were present had questions. He said that the new building would do a great amount to hide the parking. There is a church on one side and an 8 story building on the other. The rear of the parking area is wetlands and cannot be built on. He said that when there is a good project, he will support it, and he can support this 100%

Mr. Tom Errichetti came forward to express his support. He said that the building would not be obtrusive and well designed. It is not part of the parklands.

Commissioner Grace asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Grace closed the public hearing on 4030 Park Avenue.

Commissioner Piccirillo rejoined the meeting at 7:55 p.m. and resumed the Chairmanship.

ITEM #6 RE: 343 – 345 GROVERS AVENUE – Thomas Devito - Seeking to waive the maximum mid-roof height requirement of 28’ to legalize the conversion of a 2-1/2 story dwelling into a 3-story dwelling in an R-B zone.

Mr. John Williams and Mr. Thomas DeVito came forward and turned in the mailing receipts. They said that in February of this year, there was an electric fire, which destroyed the roof and second floor. The applicant wants to put a full third floor. There are dormers and this design changes the median roof height. Commissioner Piccirillo pointed out that roof was higher than it should be.

Mr. DeVito said that he had been up to Zoning and then went to the Building Department. At the Building Department, the staff member told him that the plans looked okay, so he thought that he had approval. That is why the construction started and he did not know that the application had been denied because of the roof height until a staff member informed of this. He said that the construction stopped immediately as soon as they knew there was a problem.

Mr. Buckley, the Zoning Official, came forward and said he had spoken with the building department and the architect about the project. The size of the dormer has raised the roof line. The regulations are 28 feet to the mid-point, and the current midpoint is 31.5 feet. The house would now be three full stories, but the neighboring buildings are two and a half stories.

Mr. DeVito said that the roof height was the same as it was before, but they needed to make it into a dormer. There is no separate entrance to the third floor. No kitchen will be installed, but the pre-existing bathroom will be replaced.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application.

Ms. Mary Filo came forward and said that she was in favor of this project. She is one of the next door neighbors. There is no blocking of the view from her house. Ms. Filo said that when the project is done, she felt it would be a benefit to the neighborhood.

Commissioner Piccirillo asked if there was anyone present who wished to speak against the application.

Mr. Jim White of the Black Rock NRZ came forward and said that there had not been a permit issued and it was inappropriate for the neighborhood. He said that then there would be three tenants.

Mr. Joe Manning came forward said that the NRZ was not in favor of it. He said that as a financial investor, it was incumbent upon the owner to check with the Building Department and the Zoning Department before starting construction. It also sets precedent and could change the character of the neighborhood. He said that he hoped the Commission would deny the request.

Ms. Caroline McCarthy said that she was one of the next door neighbors and felt she should speak because she had not been invited to see the blue prints or invited into the building. This isn't fully transparent. It is also bothersome to her. She wanted to know about a large opening that might be double doors for a slider or a deck access by the driveway that would overlook her property.

Mr. DeVito explained that the opening in the side of the house was for demo purposes only. He said that after the fire, he wanted to have this to be usable space. He said that he had gone to Zoning and to Engineering. The plans were stamped. They started working and then stopped until this issue was resolved.

Commissioner Piccirillo closed the hearing on 343 Grovers Avenue and the Public Hearing portion of the meeting at 8:14 p.m.

RECESS.

Commissioner Piccirillo announced a recess at 8:14 p.m. He reconvened the meeting at 8:20 p.m.

DECISION SESSION.

D-1 (#4) RE: 113 – 117 WASHINGTON TERRACE – Continuum of Care, Inc. - Appealing under Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and under Sec. 8-7 of the CT General Statutes, whereby it is alleged that the Zoning Enforcement Officer erred in his issuance of an Order to Comply regarding a group living use in an R-B zone.

This item was withdrawn.

D-2 (#6) RE: 1380 SEAVIEW AVENUE – Cheddi Dillon (Lessee) - Seeking to modify conditions of approval to a petition granted by the Zoning Board of Appeals on 06-02-10, which permitted the establishment of a used car dealership in an R-C zone and coastal area.

**** COMMISSIONER GRACE MOVED TO GRANT AGENDA ITEM D-2 (#6)
RE: 1380 SEAVIEW AVENUE – CHEDDI DILLON (LESSEE) - SEEKING TO
MODIFY CONDITIONS OF APPROVAL TO A PETITION GRANTED BY THE
ZONING BOARD OF APPEALS ON 06-02-10, WHICH PERMITTED THE
ESTABLISHMENT OF A USED CAR DEALERSHIP IN AN R-C ZONE AND
COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE MAXIMUM NUMBER OF EMPLOYEES SHALL NOT EXCEED FOUR (4). TWO (2) MECHANICS AND TWO (2) SALES ASSOCIATES.**
- 2. BARBED WIRE MAY REMAIN. HOWEVER, THE USE OF RAZOR WIRE IS STRICTLY PROHIBITED.**
- 3. ALL OTHER ZONING BOARD OF APPEALS CONDITIONS OF 06/02/10 SHALL REMAIN.**

FOR THE FOLLOWING REASON:

**THE MODIFICATION OF THE PREVIOUS APPROVAL IS
INSIGNIFICANT AND WILL HAVE NO IMPACT ON THE
NEIGHBORHOOD.**

**** COMMISSIONER CALCUTT SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #1 - RE: 1944, 1954 BOSTON AVENUE – City of Life (William Marshall, Lessee) - Seeking a variance of the minimum number of off-street parking spaces as required under Sec. 11-1-2 to permit the establishment of a house of worship in the existing commercial office building in an OR zone.

**** COMMISSIONER GRACE MOVED TO DENY AGENDA ITEM #1 - RE: 1944, 1954 BOSTON AVENUE – CITY OF LIFE (WILLIAM MARSHALL, LEASEE) - SEEKING A VARIANCE OF THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES AS REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A HOUSE OF WORSHIP IN THE EXISTING COMMERCIAL OFFICE BUILDING IN AN OR ZONE FOR THE FOLLOWING REASONS:**

- 1. THE SUBJECT SITE IS LOCATED IN AN AREA THAT HAS CRITICAL TRAFFIC CONGESTION AND THE ADDITION OF THIS USE, WITH INADEQUATE PARKING, WOULD ONLY BE A FURTHER DETRIMENT TO PUBLIC SAFETY.**
- 2. THE PETITIONER FAILED TO ESTABLISH A VALID OR UNUSUAL HARDSHIP OR CONDITION RELATING TO THE PROPOSED USE AT THE SUBJECT PREMISES.**

**** COMMISSIONER ALVES SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM #2 RE: 1427 PEMBROKE STREET – Seeking a variance of the 2,700 sq. ft. of property per residential unit under Sec. 5-1-3 and also seeking a variance of all nine (9) off-street parking spaces as required under Sec. 11-1-2 to legalize the conversion of a retail space into a residential unit in the existing 5-unit apartment building in an R-C zone.

**** COMMISSIONER CALCUTT MOVED TO GRANT AGENDA ITEM #2 RE: 1427 PEMBROKE STREET – SEEKING A VARIANCE OF THE 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT UNDER SEC. 5-1-3 AND ALSO SEEKING A VARIANCE OF ALL NINE (9) OFF-STREET PARKING SPACES AS REQUIRED UNDER SEC. 11-1-2 TO LEGALIZE THE CONVERSION OF A RETAIL SPACE INTO A RESIDENTIAL UNIT IN THE EXISTING 5-UNIT APARTMENT BUILDING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER IS TO WORK WITH THE DESIGN REVIEW COORDINATOR TO ENSURE THE GROUND LEVEL OF THE SUBJECT PREMISES IS MODIFIED TO KEEP IN CHARACTER WITH THE OTHER RESIDENTIAL BUILDINGS IN THE NEIGHBORHOOD.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

FOR THE FOLLOWING REASON:

THE PROJECT, AS APPROVED, IS IN KEEPING WITH THE CHANGING CHARACTER OF THE NEIGHBORHOOD.

**** COMMISSIONER GRACE SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM #3 RE: 585 NORMAN STREET – Laurelwood Housing Associates Limited Partnership (Penn Lindsay, Agent) - Seeking a variances of the residential density requirement of 2,700 sq. ft. of property per residential unit and a variance of maximum height requirement of 45' under Sec. 5-1-3, and also seeking to waive 59 of the 168 on-site parking spaces required under Sec. 11-1-2 to permit the establishment of 2 additional residential units in the existing 100-unit apartment building in an R-C zone.

**** COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM #3 RE: 585 NORMAN STREET – LAURELWOOD HOUSING ASSOCIATES LIMITED PARTNERSHIP (PENN LINDSAY, AGENT) - SEEKING A VARIANCES OF THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT AND A VARIANCE OF MAXIMUM HEIGHT REQUIREMENT OF 45’ UNDER SEC. 5-1-3, AND ALSO SEEKING TO WAIVE 59 OF THE 168 ON-SITE PARKING SPACES REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF 2 ADDITIONAL RESIDENTIAL UNITS IN THE EXISTING 100-UNIT APARTMENT BUILDING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 2. THE DEVELOPMENT OF THE PROJECT SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 3. THE PETITIONER IS TO INCORPORATE ALL RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER DATED 08/20/14.**

FOR THE FOLLOWING REASONS:

- 1. TWO ADDITIONAL RESIDENTIAL UNITS WILL HAVE NO IMPACT ON THE COMPLEX OVERALL.**
- 2. A NEW AND ACCESSIBLE ACTIVITY/RECREATION CENTER WILL BE A BENEFIT TO ALL RESIDENTS OF THE COMPLEX.**

**** COMMISSIONER GRACE SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

ITEM #4 RE: 3115, 3129, 3135 FAIRFIELD AVENUE AND 704 COURTLAND AVENUE – 3115 Fairfield Avenue, LLC - Seeking variances of the residential density requirement of 2,700 sq. ft. of property per residential unit; 5.1’ of the minimum setback requirement; 10.5% of the maximum site coverage requirement and 11% of the minimum landscaping requirement of Sec. 5-1-3, and also seeking variances of the additional development standards of Sec. 6-1-4; five (5) of the required on-site parking spaces of Sec. 11-1-2; the prohibition of stacked parking for residential under Sec.11-1-7, and waive the minimum parking area setback and perimeter landscaping requirements of Sec. 11-1-13 to permit the construction of a 4-story apartment building in an OR zone and coastal area.

**** COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM #4 RE: 3115, 3129, 3135 FAIRFIELD AVENUE AND 704 COURTLAND AVENUE – 3115 FAIRFIELD AVENUE, LLC - SEEKING VARIANCES OF THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER**

RESIDENTIAL UNIT; 5.1' OF THE MINIMUM SETBACK REQUIREMENT; 10.5% OF THE MAXIMUM SITE COVERAGE REQUIREMENT AND 11% OF THE MINIMUM LANDSCAPING REQUIREMENT OF SEC. 5-1-3, AND ALSO SEEKING VARIANCES OF THE ADDITIONAL DEVELOPMENT STANDARDS OF SEC. 6-1-4; FIVE (5) OF THE REQUIRED ON-SITE PARKING SPACES OF SEC. 11-1-2; THE PROHIBITION OF STACKED PARKING FOR RESIDENTIAL UNDER SEC.11-1-7, AND WAIVE THE MINIMUM PARKING AREA SETBACK AND PERIMETER LANDSCAPING REQUIREMENTS OF SEC. 11-1-13 TO PERMIT THE CONSTRUCTION OF A 4-STORY APARTMENT BUILDING IN AN OR ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:

1. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.
2. THE PETITIONER SHALL FILE PLANS AND APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.
3. ALL CONSTRUCTION SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.
4. THE PETITIONER SHALL FILE AN A-2 SURVEY ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT, CONSOLIDATING ALL OF THE LOTS INTO ONE PARCEL OF PROPERTY.
5. THE PETITIONER IS TO INCORPORATE ALL RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER DATED 08/21/14.

FOR THE FOLLOWING REASONS:

1. THE PROPOSED USE IS IN KEEPING WITH THE DEVELOPMENT ALONG THE FAIRFIELD AVENUE CORRIDOR.
2. RETAIL USE, CATERING TO PEDESTRIAN TRAFFIC WOULD BE IMPRACTICAL AS THE SUBJECT PREMISES IS BEYOND THE "VILLAGE" OF BLACK ROCK.
3. ELIMINATES AN UNDER DEVELOPED PARCEL AND, WHEN COMPLETE, WILL GENERATE MUCH NEEDED TAX DOLLARS.

**** COMMISSIONER CALCUTT SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #5 RE: 4030 PARK AVENUE – Sacred Heart University - Seeking a use variance under Sec. 5-1-2 and a variance of the maximum height requirement of Sec. 5-1-3 to permit the construction of an academic building and parking structure in an R-A zone.

**** COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM #5 RE: 4030 PARK AVENUE – SACRED HEART UNIVERSITY - SEEKING A USE VARIANCE UNDER SEC. 5-1-2 AND A VARIANCE OF THE MAXIMUM HEIGHT REQUIREMENT OF SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF AN ACADEMIC BUILDING AND PARKING STRUCTURE IN AN R-A ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL COMPLY WITH ALL RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER DATED 08/21/14.**
- 2. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 3. SOCCER FIELD SHALL BE REMOVED AND REPLACED WITH LANDSCAPING.**
- 4. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 5. ALL CONSTRUCTION SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.**

FOR THE FOLLOWING REASONS:

- 1. THE APPROVED USE, AS A 9AM TO 6PM, MONDAY THRU FRIDAY, UNIVERSITY CLASSROOM FACILITY IS FAR LESS INTENSIVE THAN THE PREVIOUS 24/7 FITNESS CENTER USE AT THIS LOCATION.**
- 2. THIS SECTION OF NORTH PARK AVENUE HAS LOST ITS RESIDENTIAL-A CHARACTER AS EVIDENCED BY THE ABUTTING MULTI-STORY APARTMENT BUILDING TO THE SOUTH, AND THE ABUTTING HOUSE OF WORSHIP ON THE NORTH.**
- 3. THE ELIMINATION OF THE OUTDOOR RECREATIONAL FIELD ALSO LESSENS THE INTENSIFICATION OF USE OF THE SUBJECT PREMISES.**

**** COMMISSIONER ALVES SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #6 RE: 343 – 345 GROVERS AVENUE – Thomas Devito - Seeking to waive the maximum mid-roof height requirement of 28' to legalize the conversion of a 2-1/2 story dwelling into a 3-story dwelling in an R-B zone.

**** COMMISSIONER GRACE MOVED TO GRANT AGENDA ITEM #6 RE: 343 – 345 GROVERS AVENUE – THOMAS DEVITO - SEEKING TO WAIVE THE MAXIMUM MID-ROOF HEIGHT REQUIREMENT OF 28’ TO LEGALIZE THE CONVERSION OF A 2-1/2 STORY DWELLING INTO A 3-STORY DWELLING IN AN R-B ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. MID-ROOF HEIGHT OF 31.5’ TO BE VERIFIED BY A CERTIFIED LAND SURVEYOR PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.**
- 2. THE USE OF THE SUBJECT PREMISES SHALL REMAIN A 2-FAMILY DWELLING, WITH THE ROOMS ON THE 3RD FLOOR ONLY TO BE USED IN CONJUNCTION WITH THE 2ND FLOOR APARTMENT.**
- 3. THERE SHALL BE NO EXTERIOR MEANS OF EGRESS TO THE 3RD FLOOR ADDITION FOR ANY REASON.**

FOR THE FOLLOWING REASON:

- 1. FIRE DAMAGE RESULTED IN THE REMOVAL OF ALL LIVING AREA BEYOND THE 2ND FLOOR OF THE ORIGINAL STRUCTURE.**
- 2. THE 3RD FLOOR ADDITION PROVIDES THE OWNER WITH INCREASE LIVING SPACE.**

**** COMMISSIONER CALCUTT SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

CONSENT AGENDA.

There were no items to be considered at this time.

TABLED ITEMS.

There were no items to be considered at this time.

ADOPTION OF MINUTES.

Approval of ZBA Minutes of August 13, 2014.

**** COMMISSIONER GRACE MOVED THE MINUTES OF THE AUGUST 13, 2014.**

**** COMMISSIONER CALCUTT SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE AUGUST 13, 2014 AS SUBMITTED PASSED UNANIMOUSLY.**

**ANY OTHER MATTER THAT MAY PROPERLY COME BEFORE
THE BOARD.**

Commissioner Piccirillo announced his resignation from the Board, effectively immediately.

ADJOURNMENT.

- ** COMMISSIONER CAROLAN MOVED TO ADJOURN.**
- ** COMMISSIONER CALCUTT SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services.