



ZONING BOARD OF APPEALS
NOVEMBER 12, 2014
REGULAR MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace
Bridgeport, CT 06604
(203) 576-7217 Phone
(203) 576-7213 Fax

ATTENDANCE: Linda Grace – Acting Chair; Jack Calcutt – Acting Secretary;
Commissioners – John Carolan, Robin Shepard, Maria Alves

STAFF: Dennis Buckley – Zoning Official; Paul Boucher – Assistant
Zoning Official; Atty. Ed Schmidt – Associate City Attorney;
Diego Guevara – Design Review Coordinator; Neil Bonney - ZEO

CALL TO ORDER.

Acting Chairperson Grace called the meeting to order at 6:10 p.m. A quorum was present.

ROLL CALL.

Acting Chairperson Grace introduced the members seated. She reviewed the process for the hearing for the public.

PUBLIC HEARING.

Continued Business.

There was no continued business to consider at this time.

ITEM D-1 (#3) Continuum of Care, Inc. - RE: 113 – 115 WASHINGTON TERRACE – Seeking a use variance of Sec. 5-1-2 and also seeking to waive 6 of the 8 required off-street parking spaces of Sec. 11-1-2 to permit the conversion of the existing illegal 3-family dwelling into a group home in an R-B zone.

Atty. Rizio came forward to present the application. He said that this residence was a three family that had been in foreclosure. The application purchased the property as a three family, paid taxes on it as a three family and was later informed by the Zoning Department that it was a two family. The client, Continuum of Care, Inc., operates group homes throughout the State.

Atty. Rizio then directed everyone's attention to the original real estate ad, which indicated it was a three family home. Atty. Rizio said that a group home is not permitted in an R-B zone. The program is State sponsored. The residence was constructed in 1915.

Atty. Rizio then distributed photos of the residence and the driveway. He explained that the residents would not have vehicles and there are only two parking spaces on the property. The staff would use these.

Atty. Rizio then distributed copies of a letter from Mr. Paul J. DiLeo of the Department of Mental Health regarding the residence. He also distributed copies of a definition of Crisis Respite Services from the State. This facility would be for individuals who had psychiatric issues and were indigent. The Continuum of Care allows these individuals to stay for 14 days while follow up care is arranged.

Ms. Patti Walker, of Continuum of Care came forward and said that there were approximately 40 programs in 11 different Connecticut towns. She explained that over the last 23 years, the program has been very successful in providing care for this particular class of clients. They provide a means for the clients to re-enter the community successfully. Bridgeport is one of the few communities that does not have this type of service available.

Commissioner Calcutt asked about the parking issues. Atty. Rizio indicated that the driveway was long enough to have parking on the property. Any of the clients would be taken to their destinations via public transportation. There will only be two or three staff members on site for any shift.

Commissioner Calcutt asked how many beds they were requesting. Atty. Rizio said that they were requesting 10 beds, and there were eight bedrooms in the residence. He indicated where these rooms were on the floor plan. When the owners had been informed that the building was a two family rather than a three family, they removed the kitchen on the third floor.

Ms. Walker then answered several questions about the length of stay of the clients. She explained that if a client is homeless, Continuum will find permanent housing and help arrange for payment of utilities.

Commissioner Grace asked what happens when there is a shift change. Ms. Walker then explained that often, the staff is not all on site at one time. Atty. Rizio said that the capacity was there for the parking. This is not a homeless shelter or an inpatient program.

Commissioner Grace asked about the administration of drugs on site. Atty. Rizio said that they would accept a condition that no medications be administered on site. Ms. Walker explained that Continuum has their own home health program, so someone could

come in to assist a client with taking their medications if needed. However, the staff would not be administering any medications.

Mr. John Lavinik came forward to explain how the clients are referred to the program. He reviewed the screening guidelines that the service uses and how the various services are arranged based on the needs of the client. He explained that often the clients may not have the ability to get to and from treatment sites, so the program arranges this for the client.

Commissioner Calcutt asked about the clients who have no access to health insurance. Mr. Lavinik explained that there are still many people who need access to services and may not be covered.

Atty. Rizio then distributed copies of letters from Bridgeport Hospital, St. Vincent's Hospital and the State of Connecticut Department of Mental Health in support of this program. Atty. Rizio said that the ZBA has done a great job in balancing the zoning with the needs of the community. He said that there had been a number of positive things done to the property with landscaping and repairs. He then distributed copies of interior photos of the facility.

The hardship is the parking requirement. He requested that the number of required parking spaces be reduced from 8 to 2. It abuts an R-C zone and there is a rooming house directly across the street along with many multi-family dwellings in the neighborhood.

Commissioner Grace asked about the visiting hours. Mr. Lavinik said that there were very few visitors. This is not for addiction services, it is for psychological issues. He said that this would benefit the City. Continuum owns the property already and already operates a number of similar facilities in other municipalities.

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

Ms. Angela Breen came forward and said that she had been a client of Continuum and they assisted with the transition into permanent housing.

Mr. Pena, another resident came forward and said that he had been a Continuum client and was in the process of moving into a more secure housing. He has no family or friends in the area.

Mr. Reg Jones of Allen Court came forward and said the program helped him get a job, and worked with him to get a security deposit for an apartment. Now he is working two jobs and moving forward with his life. This program is something that Bridgeport needs.

Commissioner Grace then asked if there was anyone who wished to speak against the application.

Council Member Denese Taylor-Moye came forward and said that she was the Council representative for the District where the facility was located. She said that the program came in without informing the residents what they intended to do. She said that the Mayor of New Haven had suggested that the program come to Bridgeport. Council Member Taylor-Moye said that while the group claims that they don't administer medication but wake the client up and tell them to take their medications. She said that they should have known there would be zoning issues. Continuum just purchased the house and moved forward with their project. Council Member Taylor-Moye pointed out that they had never contacted her about having this new program in the 131st District. She said that she was very unhappy about how they just came into the City without letting people know. There were a number of agencies already in Bridgeport and this should have been discussed in advance.

Mr. Arthur McBean said that he was a property owner and had two buildings on that block. He then said that there were No Parking zones where people are parking. One of the clients had been sitting on the steps of his building. When asked what the man was doing there, the man replied that he had been kicked out of the house and had nowhere to go. Mr. McBean said that it was not a rooming house. He said that it doesn't make sense to have clients there for 14 days and suggested that Continuum go back to the drawing board.

Ms. Jean Ryan of Washington Terrace came forward and said that she did not like the halfway house. She had to make a 9-1-1 call at 3:00 a.m. because a man was on her front porch banging on her front porch. Ms. Ryan said that she was a mother with a seven year old child. She said that a 14 day program was not sufficient. When she was an operations manager for Joshua House, 14 days was not enough time to arrange additional care for clients. She said that she was working with the police department and that the halfway house was not safe for the neighbors.

Council Member Jack Banta, from the 131st District, came forward and said that Bridgeport already offers many different services. There is a time and place for everything, but Washington Terrace is not the place for this program. Families are finally moving back to the neighborhood. He urged the Board Members to stand up for the residents of Washington Terrace.

Ms. Emily Rumford, of Washington Terrace came forward and said that the parcel is not zoned for this and none of the neighbors who live in the area know about program. They came from New Haven into Bridgeport without proper licensing. The City already has programs for the residents and now Continuum is asking for permits.

There was no one else from the public who wished to address the Commissioners at this time.

Atty. Rizio came forward and said that the program was not pushed out of New Haven to Bridgeport. He said that this was for a segment of the population that was underserved in Bridgeport. This will be the second home within the State. He reiterated that there were over 30 homes in areas such as New Haven and Branford. This is not a halfway house or an addiction recovery program. He reminded everyone that Continuum had believed that they had purchased a three family home. In the other communities in a multi family zone, they have not needed a permit. Once they discovered that it was a two family house, the kitchen was immediately removed. The clients that are discharged are normally taken to their new lodgings.

Atty. Rizio said that because of this use, it was an appropriate site for this. Having a well orchestrated use for this site will be a benefit. He said that this was not a case where they came in without letting people know. Letters were sent out to the neighbors with Atty. Rizio's phone number on it, but he did not receive any calls.

Commissioner Grace then closed the public hearing on 113-115 Washington Terrace.

ITEM #1 – Globe Equipment - RE: 235, 197 & 185 (#rear) ASH STREET – Seeking a variance of the prohibition of expanding a nonconforming structure under Sec. 4-12-4a, and also seeking variances of the minimum street setback requirement, the maximum site coverage requirement and the minimum landscaping requirement of Sec. 7-1-3 to permit the construction of a 5,180 sq. ft. addition to the existing nonconforming warehouse and wholesale distributorship in an I-L zone.

Atty. Rizio came forward and introduced himself. He turned in the green mailing cards. The property is in an industrial light zone. It is a wholesale restaurant supply store. The business is in two different buildings. At the present time, there is a loading dock on Dewey Street. He said the applicant would like to construct an addition that would connect the two buildings. This would move the loading dock onto Nash Street and allow the customers to use the Dewey Street entrance. The business sells basically everything used in a restaurant but the food. 90% of their customers are commercial.

He said that the set back would be 15 feet, but the applicant is requesting no setback in order to make the addition work. There is an outdoor storage area and this will be transformed into staff parking. There are 21 employees and the client hopes to increase this. They have operated at this location for 40 years. The variance will reduce the non-conformity and there will be some landscaping added. The addition will make the building look similar to the other buildings on the street.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Grace then asked if there was

anyone who wished to speak against the application. Hearing none, Commissioner Grace then closed the public hearing on 235 Ash Street.

ITEM #2 – Kathleen Wheeler - RE: 69 SEABRIGHT AVENUE – Seeking a variance of the prohibition of enlarging an existing nonconforming structure under Sec. 4-12-4a, and also seeking a variance of the minimum side setback requirement of 6’ under Sec. 5-1-3 to permit the construction of a 2-story, 14 x 20 rear addition, a front porch enclosure, and a 2nd story 6 x 25 front addition to the existing one-family dwelling in a R-B zone and coastal area.

Mr. Robert Storm and his son Robert Jr. came forward. The green mailing cards were handed in. He said that they were requesting a variance on the right side setback, which is 2.3 feet from the property line. He then reviewed the details of the rear addition to continue the line of the back of the building. This is an existing, non-conforming property. This is in keeping with the additions that have been done to neighboring homes. Mr. Storm reviewed the variances that had been granted to other property owners in the past due to non-conformity.

Mr. Storm said that his client wants to be in keeping with the areas. Coastal Area Site Approval, and the WPCA have already granted permission. Letters went out to the neighbors. Mr. Storm said that he had received a letter of approval from the neighbor on the right. Copies of the notification sign were then distributed.

Commissioner Grace asked why only half of the porch was enclosed. Mr. Storm then gave the details for this.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Grace then asked if there was anyone who wished to speak against the application. Hearing none, Commissioner Grace then closed the public hearing on 69 Seabright.

ITEM #3 – Habitat for Humanity of Coastal Fairfield County - RE: 1972 SEAVIEW AVENUE – Seeking a variance of the prohibition of reducing a conforming lot to create a nonconforming lot under Sec. 4-2-2, and also seeking a variance of the minimum lot area and frontage requirement and the minimum front setback requirement under Sec. 5-1-3 to permit the construction of a single-family dwelling in an R-C zone.

Mr. Kevin Moore came forward and turned in the green mailing cards. He introduced himself to the Commission and gave a brief overview of the Habitat program. He said that he was present regarding a parcel on Seaview Avenue that Habitat would like to create two building lots. The original proposal had been for five townhouses, which was too dense for the parcel.

Mr. Moore then requested a variance for the setback for houses in order to keep in sync with the other buildings on the street.

Commissioner Grace asked about keeping the lot as one parcel. Mr. Moore explained that they were attempting to square off the lots. The houses would have three bedrooms. He then reviewed the square footage of the proposed houses.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Grace then asked if there was anyone who wished to speak against the application. Hearing none, Commissioner Grace then closed the public hearing on 1972 Seaview Avenue.

ITEM #4 – Habitat for Humanity of Coastal Fairfield County - RE: 67 SHERIDAN STREET (aka 1972SEAVIEW AVENUE) – Seeking a variance of the prohibition of reducing a conforming lot to create a non conforming lot under Sec. 4-2-2, and also seeking a variance of the minimum lot area and frontage requirement and the minimum front setback requirement under Sec. 5-1-3 to permit the construction of a single-family dwelling in an R-C zone.

Mr. Kevin Moore came forward and explained they were considering splitting the lot. The second home would be 24' x 28' feet.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Grace then asked if there was anyone who wished to speak against the application. Hearing none, Commissioner Grace then closed the public hearing on 67 Sheridan Street.

ITEM #5 – Daniel Williams - RE: 68 – 70 FORD PLACE – Seeking a variance of the perimeter landscaping requirement of Sec. 11-1-13, and also seeking a variance of the minimum vehicle maneuvering space of Sec. 11-1-10 to legalize the establishment of a 3rd floor apartment in the existing 2-family dwelling in an MU-EM zone.

Mr. Daniel Williams and Mr. Douglas woods came forward to request a variance for a proposed two family house that is under renovation. He explained the need for parking and indicated where the five parking spaces were located on a site map.

There are six bedrooms, two on each floor and there are three bathrooms.

Mr. Buckley, the Zoning officer, came forward and said that the mailing has been sent out on the 10th, but the regulations require that they be sent out 10 days in advance of the hearing. He suggested that this application be continued to next month so that the neighbors have a chance to protest. The applicant will need to re-mail the letters before the next meeting scheduled for December 9th.

ITEM #6 Bridgeport Neighborhood Trust & POKO --RE: 91, 95 & 99 RIDGE AVENUE – Seeking variances of the residential density requirement of 2,700 sq. ft. of property per residential unit and 10’ of the required 20’ rear yard under Sec. 5-1-3, and also seeking a variance of all 10 of the required on-street parking spaces of Sec. 11-1-2 to permit the consolidation of 3 lots into 1 and the construction of two 3-family dwellings in an R-C zone.

Mr. Olson of POKO Partners, came forward and thanked the Board members for their time. He said that this project involved four sites and 28 parking spaces. He then turned in copies of green mailing receipts.

Mr. Paul Solnow, the architect, came forward and said that the applicant was looking for variances on parking. He said that each development had buildings that were three story buildings and breaking up the buildings by mass and color to create a variety.

Mr. Solnow then displayed a drawing for Site #2. They are in compliance within the setbacks. He said that the sites were located flood plain and therefore were elevated. He said that the sites were organized to be within keeping of the neighborhoods. Currently, the parking on the site is not particularly dense.

Commissioner Grace asked if this was an empty lot. Mr. Solnow said that it was. He said that the density was also consistent with the neighborhood.

Commissioner Carolan asked what the new density was for the buildings. Mr. Olsen came forward and gave the numbers to the Board members.

Mr. Buckley came forward and said that there was a problem with the green mailing receipts. The ones that were given to the applicant by the Post office were not dated.

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

Mr. Bill Coleman of the City of Bridgeport OPED came forward and said that his department was supporting this project. He then outlined a number of benefits, including content, design and quality. He pointed out that most of the neighboring lots were vacant. Mr. Coleman pointed out that some of the lots had been purchased by investors who later bailed out on the project, but that this developer was local. He added that this would also provide housing opportunities for Marina Village.

Mr. Coleman then went on to speak about housing trends nationwide. He then displayed some photos of old row housing and some buildings that had variation on a street, which breaks up the visual line. He said that this was a very smart and thoughtful project. Mr.

Coleman said that Council Member Halstead was a very important advocate for the community gardens. He said that the playground was on one of the site.

Commissioner Grace then asked if there was anyone who wished to speak against the application.

Council Member Halstead, from the 137th District, came forward and said that there had been a community garden on Gregory Street since 1985. He said that it was not abandoned and many people had used it. The one on Columbia Court had been established since the 1960's. Council Member Halstead said that the Bridgeport Neighborhood Trust had some issues and now he was against the project. He said that he did not understand the City's position on this item. He then spoke about the policy for the South End where they taken permeable surfaces and putting impervious surfaces on it.

He then said that there would be run off and problems with parking. He asked how this area would be plowed in the winter. He asked the Board to give

Mr. Buckley then came forward and said that Mr. Gaucher had reviewed the application for Coastal Site review and while he had no comment, he would like an anti-tracking pad installed when construction begins.

Ms. Kesia Longley said that she had been living in the South End for 12 years and that there was no parking on the street. She also said that she was concerned about the community garden. Two years ago, there was a very active community garden that was able to give tomatoes and other vegetables to the community residents. She said that there was a lot of stress in the South End and that working in the community garden helps to relieve this. It also helps the residents meet their neighbors.

There was no one else from the public who wished to address the Commissioners at this time.

Mr. Olsen said that one thing that his development group spends time on is revitalization. He said that the projects are intended to provide housing for the community. Over the years, they have learned about foreclosures, and abandonment. He said that while they were involved in the community garden in the North End and supported the community farm that was proposed. The South End is not as dense as many believe. This is important for the City to have people there and create interest on the part of landlords. He said that POKO was a long term investor and manages the properties.

ITEM #7 -- Bridgeport Neighborhood Trust & POKO -- RE: 131 COLUMBIA STREET -- Seeking a variance of the minimum front setback requirement of 15' of Sec. 5-1-3, and also seeking a variance of all 5 of the required off-street parking spaces to permit the construction of a 2-1/2 story mixed use building in an R-C zone.

Mr. Ken Olsen came forward and indicated which drawing was for this particular plot. Mr. Paul Solnow came forward and indicated where the parcel was located, He reviewed the details with the Board. This parcel is also in a flood plain. He said that this would be consistent with the overall architecture of the area. Mr. Solnow also reviewed the parking situation for this corner lot.

Mr. Bonney left the meeting at 8:30 p.m.

Acting Chairperson Grace asked if the first floor will be an office for the residents to use. Mr. Solnow said there will be one unit upstairs. There will be green space around the building. He gave the dimension of the green space on the south side of the building, which forms a triangle. The front of the building is parallel with the Columbia Street.

Acting Chairperson Grace then asked if there was anyone who wished to speak in favor of the application.

Mr. Coleman, of OPED, came forward to say that this was a nuanced hardship since it has to do with the configuration of the space.

Commissioner Grace then asked if there was anyone who wished to speak against the application.

Council Member Halstead came forward and expressed his opposition to the project and said that it did not seem like open space to him.

There was no one else from the public who wished to address the Commissioners at this time.

Mr. Olsen came forward and said that these were parcels that had foreclosed buildings on them and these were being turned into active housing.

ITEM #8 -- Bridgeport Neighborhood Trust & POKO -- RE: 123 & 139 RIDGE AVENUE, 189 WALNUT STREET, 576 & 582 GREGORY STREET – Seeking variances of the residential density requirement of 2,700 sq. ft. of property per residential unit and the minimum front and side setback requirements of Sec. 5-1-3, and also seeking to waive 25 of the required on-site parking spaces of Sec. 11-1-2 to permit the consolidation of 5 parcels into 1 and the construction of eight 3-family dwellings in an R-C zone.

Mr. Ken Olsen came forward to present the application. He said that this was city owned land. The site will allow them to build on the site and maintain the integrity of the street. This project would have 8 houses and encompasses half of a City Block.

Mr. Paul Solnow came forward and gave an overview of the proposed residences. These will include stairs to the porch. He indicated where a short street would be build to allow parking. He said that this request was similar to the previous applications. There will be 24 two bedroom units on this site. He said that he felt that this was a good solution for the neighborhood.

Commissioner Grace asked if these were two family or three family buildings. Mr. Solnow said that they were three family units.

Commissioner Grace asked how the parking would be allocated. Mr. Solnow said that there would be 18 street spaces. Mr. Olsen came forward and explained they would do a lottery for the spaces.

Ms. Liz Torres, the Executive Director of the Bridgeport Neighborhood Trust, came forward to address the Board Members. She gave a brief overview of the various projects that the Trust was involved in throughout the City. She said this had started as a housing assessment nine years ago. She said that there had been an increasing number of foreclosures in the South End. She said that this project were actually Phase 2 of an overall plan. She thanked Mr. Buckley and Mr. Boucher for all the work that they had done.

Mr. Buckley came forward and said that he had a response from OSLIP.

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

Mr. Coleman, from OPED, came forward to speak about the department's support for this program. He said that there would be other community gardens in other parts of the City.

Commissioner Grace then asked if there was anyone who wished to speak against the application.

Ms. Kesia Longley came forward and expressed her concerns about the lottery for the parking spaces. She also said that if there was a community garden, it would not be in the South End.

Council Member Halstead came forward and said that he was opposed to the project. He said that while the Bridgeport Land Trust worked hard, but the parcels were given to the developer even though they were community gardens. The City is losing two community gardens and this will force people back to the food pantries.

There was no one else from the public who wished to address the Commissioners at this time. This item, like the two preceding it also had an issue with the green mailing receipts.

ITEM #9 -- Bridgeport Neighborhood Trust & POKO -- RE: 16, 32, 36, 40, 41, 46, 47 COLUMBIA COURT, 120 & 134 COLUMBIA STREET, & 77 JOHNSON STREET -- Seeking variances of the residential density requirement of 2,700 sq. ft. of property per residential unit; the minimum front side and rear minimum setback requirements of Sec. 5-1-3, and also seeking to waive 23 of the 29 required on-site parking requirements of Sec. 11-1-2 to permit the consolidation of ten parcels of property into one and the construction of eight 2-family dwellings and one 3-family dwelling in an R-C zone.

Mr. Ken Olsen came forward and said that there had been had been a significant change due to the request by the Fire Marshal. Mr. Solnow said that the footprint was not changed and the number of units had not changed. Mr. Buckley then said that the redistribution would require a new application. Mr. Solnow said that the presentation would be for eight 2 family buildings and one 3 family building.

Mr. Solnow said that this project would have a lengthy driveway that would be one way and lead to a small parking area for 21 vehicles. The vehicle would exit on to a nearby street. He then gave an overview of the various buildings on the site plans.

Commissioner Carolan asked how many 3 family units would be on Columbia Court. Mr. Solnow said that there would be one and indicated where it was located on the site plan.

Commissioner Grace asked about the parking arrangement. Mr. Solnow indicated where the parking lot was on the site plan and where the vehicles would exit the lot. The driveway will be 20 feet wide. She asked where the one of the buildings would be located. Mr. Solnow indicated that the building had been removed from the plan because the Fire Marshal had requested it. Commissioner Grace said that she thought the application would have to file a new application.

Mr. Olsen came forward and said that he would like to withdraw this application.

Commissioner Grace closed the public hearing at 9:18 p.m.

RECESS.

Commissioner Grace announced a recess at 9:18 p.m. She reconvened the meeting at 9:25 p.m.

DECISION SESSION.

ITEM D-1 (#3) Continuum of Care, Inc. - RE: 113 – 115 WASHINGTON TERRACE -- Seeking a use variance of Sec. 5-1-2 and also seeking to waive 6 of the

8 required off-street parking spaces of Sec. 11-1-2 to permit the conversion of the existing illegal 3-family dwelling into a group home in an R-B zone.

Commissioner Grace pointed out that there was no proper permit. There is no parking and Commissioner Calcutt said that he felt that this was something that should be approved because they cleaned it up the property. Commissioner Shepard reminded everyone that one of the clients who spoke admitted that he had been an addict. She added that the clients might not be from patient.

Commissioner Grace said that her concerns were with the parking because there would be four cars coming in and leaving, along with clinicians. Mr. Buckley said that it was nice that they cleaned it up but they would need to bring it up to code and that would cost a lot. Commissioner Calcutt pointed out that the organization was not developers, but a social service organization. Discussion followed.

**** COMMISSIONER CAROLAN MOVED TO DENY ITEM D-1 (#3)
CONTINUUM OF CARE, INC. - RE: 113 – 115 WASHINGTON TERRACE –
SEEKING A USE VARIANCE OF SEC. 5-1-2 AND ALSO SEEKING TO WAIVE
6 OF THE 8 REQUIRED OFF-STREET PARKING SPACES OF SEC. 11-1-2 TO
PERMIT THE CONVERSION OF THE EXISTING ILLEGAL 3-FAMILY
DWELLING INTO A GROUP HOME IN AN R-B ZONE FOR THE
FOLLOWING REASONS:**

- 1. THE PETITIONER FAILED TO ESTABLISH AN EXCEPTIONAL DIFFICULTY OR HARDSHIP RELATING TO THE USE OF THIS PROPERTY AND PREMISES.**
- 2. THE TRANSIENT NATURE AND USE OF THIS PROPERTY WOULD RESULT IN AN ADVERSE IMPACT ON THE NEIGHBORHOOD.**
- 3. THE PROVIDED PARKING IS NOT SUITABLE AND THE TRAFFIC GENERATED BY THIS PROPOSED USE (RESIDENTS; 4 STAFF MEMBERS EACH SHIFT; BUS TRANSPORTATION AND POSSIBLE VISITORS) WILL CONTRIBUTE TO TRAFFIC CONGESTION ON THIS ONE-WAY, NARROW STREET.**

**** COMMISSIONER SHEPARD SECONDED.**

**** THE MOTION TO DENY PASSED WITH FOUR IN FAVOR (SHEPHERD, ALVES, GRACE AND CAROLAN), AND ONE OPPOSED (CALCUTT).**

ITEM #1 – Globe Equipment - RE: 235, 197 & 185 (#rear) ASH STREET – Seeking a variance of the prohibition of expanding a nonconforming structure under Sec. 4-12-4a, and also seeking variances of the minimum street setback requirement, the maximum site coverage requirement and the minimum landscaping requirement of

Sec. 7-1-3 to permit the construction of a 5,180 sq. ft. addition to the existing nonconforming warehouse and wholesale distributorship in an I-L zone.

**** COMMISSIONER CAROLAN MOVED TO GRANT ITEM #1 – GLOBE EQUIPMENT - RE: 235, 197 & 185 (#REAR) ASH STREET – SEEKING A VARIANCE OF THE PROHIBITION OF EXPANDING A NONCONFORMING STRUCTURE UNDER SEC. 4-12-4A, AND ALSO SEEKING VARIANCES OF THE MINIMUM STREET SETBACK REQUIREMENT, THE MAXIMUM SITE COVERAGE REQUIREMENT AND THE MINIMUM LANDSCAPING REQUIREMENT OF SEC. 7-1-3 TO PERMIT THE CONSTRUCTION OF A 5,180 SQ. FT. ADDITION TO THE EXISTING NONCONFORMING WAREHOUSE AND WHOLESALE DISTRIBUTORSHIP IN AN I-L ZONE WITH THE FOLLOWING CONDITIONS**

1. LANDSCAPING SHALL BE INSTALLED AS PER PLANS PRIOR TO THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE.
2. THE SIDEWALKS AND DRIVEWAY APRONS SHALL BE REPLACED AS WELL AS ALL OTHER RECOMMENDATIONS STATED IN THE CITY ENGINEERS LETTER DATED 10/16/14.
3. THE FAÇADE OF BUILDINGS SHALL BE REFINISHED OR PAINTED TO IMPROVE THE OVERALL APPEARANCE OF THE SUBJECT PREMISES.

FOR THE FOLLOWING REASONS:

1. THE PROJECT, AS APPROVED, SHALL HAVE A POSITIVE IMPACT ON THE IMMEDIATE AREA.
2. ACCOMMODATES THE EXPANSION OF A LONG, WELL ESTABLISHED BUSINESS IN THE CITY OF BRIDGEPORT.

**** COMMISSIONER ALVES SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #2 – Kathleen Wheeler - RE: 69 SEABRIGHT AVENUE – Seeking a variance of the prohibition of enlarging an existing nonconforming structure under Sec. 4-12-4a, and also seeking a variance of the minimum side setback requirement of 6’ under Sec. 5-1-3 to permit the construction of a 2-story, 14 x 20 rear addition, a front porch enclosure, and a 2nd story 6 x 25 front addition to the existing one-family dwelling in a R-B zone and coastal area.

**** COMMISSIONER CALCUTT MOVED TO GRANT ITEM #2 – KATHLEEN WHEELER - RE: 69 SEABRIGHT AVENUE – SEEKING A VARIANCE OF THE PROHIBITION OF ENLARGING AN EXISTING NONCONFORMING STRUCTURE UNDER SEC. 4-12-4A, AND ALSO SEEKING A VARIANCE OF**

THE MINIMUM SIDE SETBACK REQUIREMENT OF 6' UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2-STORY, 14 X 20 REAR ADDITION, A FRONT PORCH ENCLOSURE, AND A 2ND STORY 6 X 25 FRONT ADDITION TO THE EXISTING ONE-FAMILY DWELLING IN A R-B ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:

- 1. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLAN SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS 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.**

FOR THE FOLLOWING REASONS:

- 1. THE SIZE OF THESE NONCONFORMING LOTS AND THE SETBACK REQUIREMENTS OF THE TIME, PROHIBIT MINOR ADDITIONS WITHOUT THE NEED FOR A VARIANCE.**
- 2. AS TO THE COASTAL SITE PLAN REVIEW, THE PROJECT AS PRESENTED WILL HAVE NO UNACCEPTABLE ADVERSE IMPACT ON THE COASTAL AREA.**

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

ITEM #3 – Habitat for Humanity of Coastal Fairfield County - RE: 1972 SEAVIEW AVENUE – Seeking a variance of the prohibition of reducing a conforming lot to create a nonconforming lot under Sec. 4-2-2, and also seeking a variance of the minimum lot area and frontage requirement and the minimum front setback requirement under Sec. 5-1-3 to permit the construction of a single-family dwelling in an R-C zone.

**** COMMISSIONER CAROLAN MOVED TO GRANT ITEM #3 – HABITAT FOR HUMANITY OF COASTAL FAIRFIELD COUNTY - RE: 1972 SEAVIEW AVENUE – SEEKING A VARIANCE OF THE PROHIBITION OF REDUCING A CONFORMING LOT TO CREATE A NONCONFORMING LOT UNDER SEC. 4-2-2, AND ALSO SEEKING A VARIANCE OF THE MINIMUM LOT AREA AND FRONTAGE REQUIREMENT AND THE MINIMUM FRONT SETBACK REQUIREMENT UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

1. THE DEVELOPMENT, AS APPROVED, MINIMIZES THE NUMBER OF VARIANCES REQUESTED TO REDEVELOP THIS PARCEL OF PROPERTY.
2. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.
3. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.
4. THE FRONT OF THE SUBJECT PREMISES SHALL BE LANDSCAPED WITH LOW LYING SHRUBS AND BE PROPERLY MAINTAINED.

FOR THE FOLLOWING REASONS:

1. PROVIDES NEW RESIDENTIAL BUILDINGS IN AN OLD, WELL ESTABLISHED NEIGHBORHOOD.
2. THIS IS THE BEST POSSIBLE USE FOR A SMALL NONCONFORMING OF PROPERTY.
3. RETURNS A VACANT, BLIGHTED PROPERTY TO THE TAX ROLLS OF THE CITY OF BRIDGEPORT.
4. THIS APPROVAL WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.

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

ITEM #4 – Habitat for Humanity of Coastal Fairfield County - RE: 67 SHERIDAN STREET (aka 1972SEAVIEW AVENUE) – Seeking a variance of the prohibition of reducing a conforming lot to create a non conforming lot under Sec. 4-2-2, and also seeking a variance of the minimum lot area and frontage requirement and the minimum front setback requirement under Sec. 5-1-3 to permit the construction of a single-family dwelling in an R-C zone.

**** COMMISSIONER CAROLAN MOVED TO GRANT ITEM #4 – HABITAT FOR HUMANITY OF COASTAL FAIRFIELD COUNTY - RE: 67 SHERIDAN STREET (AKA 1972 SEAVIEW AVENUE) – SEEKING A VARIANCE OF THE PROHIBITION OF REDUCING A CONFORMING LOT TO CREATE A NON CONFORMING LOT UNDER SEC. 4-2-2, AND ALSO SEEKING A VARIANCE OF THE MINIMUM LOT AREA AND FRONTAGE REQUIREMENT AND THE MINIMUM FRONT SETBACK REQUIREMENT UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

1. THE DEVELOPMENT, AS APPROVED, MINIMIZES THE NUMBER OF VARIANCES REQUESTED TO REDEVELOP THIS PARCEL OF PROPERTY.
2. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.
3. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.
4. THE FRONT OF THE SUBJECT PREMISES SHALL BE LANDSCAPED WITH LOW LYING SHRUBS AND BE PROPERLY MAINTAINED.

FOR THE FOLLOWING REASONS:

1. PROVIDES NEW RESIDENTIAL BUILDINGS IN AN OLD, WELL ESTABLISHED NEIGHBORHOOD.
2. THIS IS THE BEST POSSIBLE USE FOR A SMALL NONCONFORMING PARCEL OF PROPERTY.
3. RETURNS A VACANT, BLIGHTED PROPERTY TO THE TAX ROLLS OF THE CITY OF BRIDGEPORT.
4. THIS APPROVAL WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.

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

ITEM #5 – Daniel Williams - RE: 68 – 70 FORD PLACE – Seeking a variance of the perimeter landscaping requirement of Sec. 11-1-13, and also seeking a variance of the minimum vehicle maneuvering space of Sec. 11-1-10 to legalize the establishment of a 3rd floor apartment in the existing 2-family dwelling in an MU-EM zone.

**** COMMISSIONER ALVES MOVED TO CONTINUE ITEM #5 – DANIEL WILLIAMS - RE: 68 – 70 FORD PLACE – SEEKING A VARIANCE OF THE PERIMETER LANDSCAPING REQUIREMENT OF SEC. 11-1-13, AND ALSO SEEKING A VARIANCE OF THE MINIMUM VEHICLE MANEUVERING SPACE OF SEC. 11-1-10 TO LEGALIZE THE ESTABLISHMENT OF A 3RD FLOOR APARTMENT IN THE EXISTING 2-FAMILY DWELLING IN AN MU-EM ZONE TO DECEMBER 9, 2014, TO GIVE THE PETITIONER AN OPPORTUNITY TO PROVIDE ADEQUATE PROOF OF MAILINGS TO ABUTTERS.**

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

ITEM #6 Bridgeport Neighborhood Trust & POKO -- RE: 91, 95 & 99 RIDGE AVENUE – Seeking variances of the residential density requirement of 2,700 sq. ft. of property per residential unit and 10’ of the required 20’ rear yard under Sec. 5-1-3, and also seeking a variance of all 10 of the required on-street parking spaces of Sec. 11-1-2 to permit the consolidation of 3 lots into 1 and the construction of two 3-family dwellings in an R-C zone.

Commissioner Grace asked Mr. Guevara to do a landscaping review. Atty. Schmidt said that the Bond Commission was scheduled to meet in early December. This could mean they would need a special meeting before this.

**** COMMISSIONER SHEPARD MOVED TO CONTINUE ITEM #6 BRIDGEPORT NEIGHBORHOOD TRUST & POKO -- RE: 91, 95 & 99 RIDGE AVENUE – SEEKING VARIANCES OF THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT AND 10’ OF THE REQUIRED 20’ REAR YARD UNDER SEC. 5-1-3, AND ALSO SEEKING A VARIANCE OF ALL 10 OF THE REQUIRED ON-STREET PARKING SPACES OF SEC. 11-1-2 TO PERMIT THE CONSOLIDATION OF 3 LOTS INTO 1 AND THE CONSTRUCTION OF TWO 3-FAMILY DWELLINGS IN AN R-C ZONE TO A SPECIAL PUBLIC HEARING ON DECEMBER 2, 2014 TO GIVE THE PETITIONER AN OPPORTUNITY TO PROVIDE ADEQUATE PROOF OF MAILINGS TO ABUTTERS.**

**** COMMISSIONER ALVES SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #7 -- Bridgeport Neighborhood Trust & POKO -- RE: 131 COLUMBIA STREET – Seeking a variance of the minimum front setback requirement of 15’ of Sec. 5-1-3, and also seeking a variance of all 5 of the required off-street parking spaces to permit the construction of a 2-1/2 story mixed use building in an R-C zone.

**** COMMISSIONER SHEPARD MOVED TO CONTINUE ITEM #7 -- BRIDGEPORT NEIGHBORHOOD TRUST & POKO -- RE: 131 COLUMBIA STREET – SEEKING A VARIANCE OF THE MINIMUM FRONT SETBACK REQUIREMENT OF 15’ OF SEC. 5-1-3, AND ALSO SEEKING A VARIANCE OF ALL 5 OF THE REQUIRED OFF-STREET PARKING SPACES TO PERMIT THE CONSTRUCTION OF A 2-1/2 STORY MIXED USE BUILDING IN AN R-C ZONE TO A SPECIAL PUBLIC HEARING ON DECEMBER 2, 2014 TO GIVE THE PETITIONER AN OPPORTUNITY TO PROVIDE ADEQUATE PROOF OF MAILINGS TO ABUTTERS.**

**** COMMISSIONER ALVES SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #8 -- Bridgeport Neighborhood Trust & POKO -- RE: 123 & 139 RIDGE AVENUE, 189 WALNUT STREET, 576 & 582 GREGORY STREET -- Seeking variances of the residential density requirement of 2,700 sq. ft. of property per residential unit and the minimum front and side setback requirements of Sec. 5-1-3, and also seeking to waive 25 of the required on-site parking spaces of Sec. 11-1-2 to permit the consolidation of 5 parcels into 1 and the construction of eight 3-family dwellings in an R-C zone.

**** COMMISSIONER SHEPARD MOVED TO CONTINUE ITEM #8 -- BRIDGEPORT NEIGHBORHOOD TRUST & POKO -- RE: 123 & 139 RIDGE AVENUE, 189 WALNUT STREET, 576 & 582 GREGORY STREET -- SEEKING VARIANCES OF THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT AND THE MINIMUM FRONT AND SIDE SETBACK REQUIREMENTS OF SEC. 5-1-3, AND ALSO SEEKING TO WAIVE 25 OF THE REQUIRED ON-SITE PARKING SPACES OF SEC. 11-1-2 TO PERMIT THE CONSOLIDATION OF 5 PARCELS INTO 1 AND THE CONSTRUCTION OF EIGHT 3-FAMILY DWELLINGS IN AN R-C ZONE TO A SPECIAL PUBLIC HEARING ON DECEMBER 2, 2014 TO GIVE THE PETITIONER AN OPPORTUNITY TO PROVIDE ADEQUATE PROOF OF MAILINGS TO ABUTTERS.**

**** COMMISSIONER ALVES SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #9 -- Bridgeport Neighborhood Trust & POKO -- RE: 16, 32, 36, 40, 41, 46, 47 COLUMBIA COURT, 120 & 134 COLUMBIA STREET, & 77 JOHNSON STREET -- Seeking variances of the residential density requirement of 2,700 sq. ft. of property per residential unit; the minimum front side and rear minimum setback requirements of Sec. 5-1-3, and also seeking to waive 23 of the 29 required on-site parking requirements of Sec. 11-1-2 to permit the consolidation of ten parcels of property into one and the construction of eight 2-family dwellings and one 3-family dwelling in an R-C zone.

**** COMMISSION CAROLAN MOVED TO ACCEPT THE REQUEST FOR WITHDRAWAL ON ITEM #9 -- BRIDGEPORT NEIGHBORHOOD TRUST & POKO -- RE: 16, 32, 36, 40, 41, 46, 47 COLUMBIA COURT, 120 & 134 COLUMBIA STREET, & 77 JOHNSON STREET -- SEEKING VARIANCES OF THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT; THE MINIMUM FRONT SIDE AND REAR MINIMUM SETBACK REQUIREMENTS OF SEC. 5-1-3, AND ALSO SEEKING TO WAIVE 23 OF THE 29 REQUIRED ON-SITE PARKING REQUIREMENTS OF SEC. 11-1-2 TO PERMIT THE CONSOLIDATION OF TEN PARCELS OF PROPERTY INTO ONE AND THE CONSTRUCTION OF EIGHT 2-FAMILY DWELLINGS AND ONE 3-FAMILY DWELLING IN AN R-C ZONE.**

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

CONSENT AGENDA.

There were no items to present at this time.

TABLED ITEMS.

There were no items to consider at this time.

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

2060-2068 East Main Street – Discussion regarding a liquor license certification.

Mr. Buckley said that this had been Teddy's Strip Club, which was in operation until the State came in and revoked their license. A few years went by and a young woman came in with a permit for a liquor license because she had been told by the building owner that it was already an approved licensed location. Mr. Buckley said that Atty. Silver had contacted the state to see if they would re-issue a license and the word came back that the State would consider this if it was approved by the local Zoning Board. Mr. Buckley said that to him, if the State revokes a liquor license, it's gone. Commissioner Grace agreed. Mr. Buckley said that he thought they should start the licensing process all over again. This will include a public hearing, and there will be quite a bit of public opposition. He pointed out that all the LLCs that were involved all had the Stratford address. Atty. Schmidt said that it was quite clear that it was not an over the counter approval.

**** COMMISSIONER CAROLAN MOVED TO REQUIRE THE APPLICANT TO
APPLY FOR A NEW LIQUOR LICENSE FOR 2060-2068 EAST MAIN STREET.
** COMMISSIONER CALCUTT SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

Mr. Buckley then reported to the Board that there was a new parking issue on Noble Avenue. Mr. John Geddes had been before the ZBA for a parking waiver for a 16 unit apartment building on Noble Avenue. The project required 24 spaces plus additional spaces for the visitors. Mr. Geddes said that the overflow could park in his office lot, which was next door. Since he owned both parcels, the permission was not recorded on the land records. The residential building was originally for seniors, but now is for affordable housing. Mr. Geddes since has sold the residential building and now wants to charge the new owners for the use of each space on his lot. The new owners are seeking relief. Discussion about the details of the previous conditions followed.

Atty. Schmidt said that in the future the Commission should consider requiring a lease and putting a notice of the lease on the land records. Commissioner Grace said that she would think it would require a new application.

APPROVAL OF ZBA MINUTES.

October 14, 2014.

The following correction was noted:

Page 5, paragraph 1, line 2, please change “Commissioner Riley then closed the public hearing” to “Commissioner Grace then closed the public hearing”

**** COMMISSIONER CALCUTT MOVED THE MINUTES OF OCTOBER 14, 2014 AS AMENDED.**

**** COMMISSIONER GRACE SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF OCTOBER 14, 2014 AS AMENDED PASSED UNANIMOUSLY.**

ADJOURNMENT.

**** COMMISSIONER SHEPARD MOVED TO ADJOURN.**

**** COMMISSIONER CALCUTT SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 10:15 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services.