



ZONING BOARD OF APPEALS  
AUGUST 13, 2013  
MEETING MINUTES  
CITY OF BRIDGEPORT

45 Lyon Terrace, Room  
210  
Bridgeport, CT 06604  
(203) 576-7217 Phone  
(203) 576-7213 Fax

**ATTENDANCE:** Michael Piccirillo, Chair; Commissioners: Linda Grace; John Carolan; James Eagen; R. Russo (6:10)

**STAFF:** Dennis Buckley, Zoning Administrator; Paul Boucher, Assistant Zoning Clerk; Diego Guevara, Design Review Coordinator; Neil Bonney, ZEO; Ed Schmidt, Assistant City Attorney

**CALL TO ORDER**

Chair Michael Piccirillo called the meeting to order at 6:07 p.m. and introduced the four (4) commission members present.

He stated if an application is heard by 4 members it will only take 1 no vote to deny the application. With 5 members hearing the application and voting it will require 2 no votes to deny an application. Every applicant has the right to be heard by 5 voting members and therefore can elect to defer until the next meeting.

Atty. Ray Rizio came forward and asked to defer Item # 1: TCM Realty Company, LLC, 3257 Fairfield Avenue, and Item #3 – Joaquim Ferreira, 158 Alice Street. Further, Chair Piccirillo announced that Item # D-1 Dan Epifano, 840 Grand Street has requested a 2<sup>nd</sup> deferment.

*Commissioner Russo arrived 6:10 PM.*

Chair Piccirillo stated for the record that here are now 5 members present.

**CONTINUED ITEMS**

**C-1 (#2) 725-727 Laurel Ave. – Petition of Keith Vo – Seeking a use variance of Sec. 5-1-2; and variances for maximum site coverage and minimum landscaping of Sec. 5-1-3; and also seeking to waive the minimum driveway width of Sec. 11-1-11, the**

**minimum parking space dimension of Sec. 11-1-10, and the minimum parking setback and perimeter landscaping requirements of Sec. 11-1-13 to legalize a 3<sup>rd</sup> residential apartment in the existing 2-family dwelling in an R-B zone.**

Dennis Buckley, Zoning Officer came forward. He reminded the commission that he was asked to investigate this application subsequent to it being heard and closed at the previous meeting.

He stated the home was not built in 1906 as previously stated. It was built as a 2 family and is currently operating as a 3 family with an apartment on the 3<sup>rd</sup> floor. An electrical permit for the 3<sup>rd</sup> floor was granted in error as this is not an approved 3 family. The current owners purchased it under the assumption it was an approved 3 family.

There is an approved 3 family home to the right of this property, and a 3 family to the left with no record of approval. All other houses on the street are 2 family. He added the plumbing is a combination of plastic and copper.

### **DEFERRED ITEMS**

**D-1 (#1) 840 Grand St. – Petition of Dan Epifano (Esplanade, LLC) – Seeking a variance of Sec. 4-12-3 and Sec. 4-12-4 which prohibits the extension and enlargement of a non-conforming building and use, and also seeking to waive the minimum landscaping requirements the maximum site coverage requirement; and the minimum side setback requirements of Sec. 5-1-3 to permit a 2<sup>nd</sup> story addition and a ground level addition to the existing remains of a contractor’s garage in a R-C zone.**

Deferred.

### **NEW BUSINESS**

**#1 3257 Fairfield Ave. – Petition of TCM Realty Company, LLC – Seeking a use variance of Sec. 6-1-2, and also seeking a variance of the prohibition of enlarging a nonconforming use under Sec. 4-12-3a; the minimum landscaping buffer of 5’ to the L-3 standard, as well as the minimum landscaping requirement of Sec. 6-1-3 to permit the establishment of a licensed motor vehicle repair facility in a portion of the existing contractor facility in an OR zone.**

Deferred.

**#2 16, 32, 36, 40 & 46 Columbia Court – Petition of Bridgeport Neighborhood Trust – Seeking a variance of Sec. 5-1-3 of the minimum 2,700 sq. ft. of property per**

**residential use to permit the construction of a 3-story, 6-unit apartment house in an R-C zone.**

Chair Piccirillo stated that the City Fire Marshall has not signed off on this application and questioned whether this should be settled before presentation.

Atty. Ray Rizio presented on behalf of the applicant and submitted proof of mailings.

He stated that the approval of the Fire Marshall can be used as a condition of approval, and that it addresses density specifically. Bridgeport Neighborhood Trust (BNT) wishes to raze the 5 – 3 family homes on these lots, a total of 15 units, and replace them with 1 three floor building with 6 units.

He said BNT worked with Yale Urban Design Workshop, who had a staff member present, to design the building with 3 two bedroom units and 3 one bedroom units. Atty. Rizio stated this proposed layout helps decrease the density on these current 5 lots.

The project has the support of the South End NRZ and Atty. Rizio submitted a letter from them into the record. He stated the only variance they need relates to density and again suggested the Fire Marshalls sign-off be a condition of approval on this application. Atty. Rizio stated that the parking for this project is all off street.

Chair Piccirillo asked if anyone wished to speak in favor of this application.

David Kooris, Director of OPED for the City came forward. He said they have been working very closely with BNT on this project and feel it is appropriate for this neighborhood and for the City.

Chair Piccirillo asked if anyone wished to speak against this application. None came forward.

Seeing none the Public Hearing was closed.

**#3 158 Alice St. – Petition of Joaquim Fereira – Seeking variances of the minimum side yard and rear yard setback requirements under Sec. 5-1-3 to construct a 2<sup>nd</sup> floor addition to the existing three-car garage to be utilized as a single-family residence with no useable rear yard in an R-C zone.**

Deferred.

**#4 335 Benham Ave. – Petition of Navarino Capital – Seeking a use variance of Sec. 5-1-2, and also seeking a variance of the prohibition of extending or enlarging a**

**nonconforming use under Sec. 4-12-3; waiving the maximum site coverage and minimum landscaping requirements of Sec. 5-1-3; waiving 32 of the 54 required on-site parking spaces; the minimum parking setback and perimeter and interior landscaping requirement of Sec. 11-1-13 and the minimum driveway width requirement of Sec. 11-1-11 to permit the addition of 8 residential units to the existing 36-residential-unit apartment building in an R-B zone.**

Atty. Ray Rizio presented on behalf of the applicant, proof of mailings were submitted. He said this property is a 28 unit apartment building that fell in to disrepair and was purchased in a foreclosure by the applicants. They have cleaned up the property since purchasing it.

This application is to add 8 studio/1 bedroom apartments in the basement of the building and to expand the parking lot. This building is in a 2 family zone and is surrounded by 2/3 family homes. Atty. Rizio provided pictures and a handout explaining the parking lot configuration as it is now and the proposed parking lot expansion.

He said they propose re-grading the back, adding a retaining wall and putting in 28 additional spaces including 4 handicap spots, something they do not currently have. This should bring the # of spaces closer to conformance. They will also add significant landscaping to the back of the property.

Once finished there will be 36 units with a total of 39 bedrooms with 33 parking spaces including 4 handicap spaces. They feel the added parking is sufficient to support the proposed 8 units and stated they have no parking issues currently.

Atty. Rizio furnished before and after pictures of the building since being purchased by his client. It showed the front of the property has been cleaned up and landscaping has been added. He also furnished photos of other Bridgeport projects owned by the applicant. He also stated a neighbor of this property called him today to support the project but requested security cameras be installed for the benefit of the neighborhood.

Chair Piccirillo asked if anyone wished to speak in favor of this application.

Mr. Carlos (?) came forward and said he lives behind the property and has no problem with the proposed project.

Chair Piccirillo asked if anyone wished to speak against this application. None came forward.

Seeing none the Public Hearing was closed.

**#5 1793-1823 Stratford Ave. – Petition of Bridgeport Neighborhood Trust – Seeking variances of the floor area ratio requirement; minimum front lot line requirement, as well as the maximum height requirement of Sec. 6-1-3, and also seeking to waive 39 of the required 67 on-site parking spaces and waive the 5’ perimeter landscaping requirement of Sec. 11-1-13 to permit the construction of a 3-story mixed use building in an O-R zone.**

Atty. Ray Rizio presented on behalf of Bridgeport Neighborhood Trust (BNT), and submitted proof of mailings. He also submitted an approved sign-off by the City Fire Marshall.

He stated BNT is proposing the construction of a 22,000 sq. ft. mixed use building on a vacant lot on the East Side of the City. They hope to have a retail grocer/market on the 1<sup>st</sup> floor, and 30 – 1 bedroom residential units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. This will be supportive housing and is located on/near a bus stop. They expect a good portion of the residents to take advantage of public transportation.

The original application had 28 spaces which have now been reduced to 26 to allow adequate room for fire equipment to enter/operate if necessary. Entrance to the parking will be on Freeman Street, and the exit will be on Bishop Avenue.

He said the East End NRZ is in favor of this project and read a letter from their chairman, Richard Griffiths, in to the record. They believe this project is perfectly suited for this neighborhood. He added the hardship for the variances is that this is a unique shaped property.

Commissioner Grace asked if the parking lot will be shared by the retail and residents and Atty. Rizio replied yes.

Chair Piccirillo asked if anyone wished to speak in favor of this application.

David Kooris, Director of OPED for the City came forward and said his office is very supportive of this project and stated this is exactly the type of development they are looking for along the primary transit corridors of the city. His office is currently looking at updating the zoning regulations in order to encourage, incentivize and allow these kinds of projects.

Chair Piccirillo asked if anyone wished to speak against this application. None came forward.

Seeing none the Public Hearing was closed.

**#6 681 East Main St. – Petition of 681 East Main, LLC – Seeking a variance of all of the required off-street parking spaces of Sec. 11-1-2 to permit the expansion from 6 to 14 residential units in the existing mixed use building in an OR zone.**

Sollange Geffrard and Paul Shelley appeared on behalf of their application and submitted proof of mailings.

They are proposing converting a 6 unit apartment building to total of 14 units: 6 - 1 bedroom, 6 studios, 1 – 3 bedroom, and 1- 2 bedroom. They said the current units are 5 rooms and are very difficult to rent out in the current economy. They feel these smaller units will be easier to market.

Chair Piccirillo asked if they intend to run this as a boarding house. They replied no. They have renovated the outside, replaced windows, sided, etc. They now are ready to renovate the inside. They have no off street parking, but have an arrangement to lease space from a neighbor.

Chair Piccirillo asked if anyone wished to speak in favor of this application.

- James St. Paul, works for ABCD, and said the City can utilize apartments for people who need them.
- Sharon Walker, ABCD Case Worker, and felt the city needs affordable units, especially for emergency situations.
- Brenda Journigan, also case worker for ABCD, said units are needed, and also knows this would revitalize this area of the East Side.

Total of 14 people appeared in support of this application.

Chair Piccirillo asked if these units will be short term or long term rentals. Ms. Geffrard said they would be rented monthly. Ms. Grace asked if they would be month-to-month and Ms. Geffrard said they would be long term and not temporary housing.

Chair Piccirillo asked if anyone wished to speak against this application.

- Ron Dougiello, principal of Radozycki Funeral Home next door to this property. He said there is absolutely no parking, and adding these units will just make the matters worse. He also said the property is not kept clean and tidy now.

Ms. Geffrard said their property is always properly cleaned and maintained. She also said there is no problem with parking and they expect most – 90% - of their tenants will be using public transportation.

The Public Hearing was closed.

**#7 98 Grovers Ave. – Petition of K. Oni Chukwu – Seeking a variance of Sec. 4-3-1 to reduce the required setback from front lot line accessory structure from the required 75 ft. to 74.3 ft. for the garage building and from 75 ft. to 63 ft. for the guest house building; and a variance of Sec. 4-3-2-b-2 to reduce the required setback for the existing garage from 2<sup>nd</sup> (corner lot) front lot line with Anchorage Dr. from the required 75 ft. to 16.6 ft., and a variance from Sec. 4-7-1 to reduce the maximum permitted building coverage from (not to exceed) 3,000 square ft. to 7,518 square ft.; and a variance of Sec. 4-4 to increase the maximum height of a principal structure from 28 ft. at the mid-point and 35 ft. at the ridge to comply with FEMA requirements and to increase the maximum height of an accessory structure from 15 ft. at the ridge to also meet FEMA requirements; and also a variance of Sec. 4-2-6 to permit the use of the existing guest cottage and use of the existing chauffeur apartment above the garage to be continued.**

Atty. Greg Cava appeared on behalf of the applicant and submitted proof of mailings. He requested that the record from the meeting of July 9, 2013 be incorporated in to this proceeding. The address used in the mailings is an updated address after checking with the tax office.

He said this is basically the same application as last time, and submitted a highlighted map as an exhibit. The property is on Black Rock Harbor. He stated all the pre-existing conditions are non-conforming.

Chair Piccirillo said FEMA will dictate how high the buildings will need to be raised. Atty. Cava stated the main house will come down and be rebuilt. Chair Piccirillo asked if they tear the main house down, do they have a right to be non-conforming if they rebuild it.

Dennis Buckley, Zoning Official for the City stated if they tear down the main house they can replace it with something smaller, no higher than FEMA allows, on condition of meeting the State of Connecticut Coastal Management Requirements.

Atty. Cava asked to place the relevant records from the July 9, 2013 meeting relative to the FEMA and City requirements for substantial rebuilding and construction.

He then stated the hardship for these variances is the structures were built in 1905 and existed before zoning regulations were even instituted.

Chair Piccirillo asked if anyone wished to speak in favor of this application. None came forward.

Chair Piccirillo asked if anyone wished to speak against this application. None came forward.

Seeing none the Public Hearing was closed.

### **DECISION SESSION**

**RE: C-1 (#2) 725-727 Laurel Ave. – Petition of Keith Vo – Seeking a use variance of Sec. 5-1-2; and variances for maximum site coverage and minimum landscaping of Sec. 5-1-3; and also seeking to waive the minimum driveway width of Sec. 11-1-11, the minimum parking space dimension of Sec. 11-1-10, and the minimum parking setback and perimeter landscaping requirements of Sec. 11-1-13 to legalize a 3<sup>rd</sup> residential apartment in the existing 2-family dwelling in an R-B zone.**

**\*\*COMMISSIONER EAGEN MOVED TO APPROVE ITEM C-1 (#2) 725-727 LAUREL AVE. – PETITION OF KEITH VO – SEEKING A USE VARIANCE OF SEC. 5-1-2; AND VARIANCES FOR MAXIMUM SITE COVERAGE AND MINIMUM LANDSCAPING OF SEC. 5-1-3; AND ALSO SEEKING TO WAIVE THE MINIMUM DRIVEWAY WIDTH OF SEC. 11-1-11, THE MINIMUM PARKING SPACE DIMENSION OF SEC. 11-1-10, AND THE MINIMUM PARKING SETBACK AND PERIMETER LANDSCAPING REQUIREMENTS OF SEC. 11-1-13 TO LEGALIZE A 3<sup>RD</sup> RESIDENTIAL APARTMENT IN THE EXISTING 2-FAMILY DWELLING IN AN R-B ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. APPLICANT TO FILE PLANS AND APPLICATIONS TO LEGALIZE WORK PERFORMED TO ESTABLISH THE 3<sup>RD</sup> FLOOR APARTMENT.**
- 2. ALL CONSTRUCTION/RENOVATION ACTIVITY TO COMPLY WITH THE BASIC BUILDING & FIRE CODE OF 2011.**

**FOR THE FOLLOWING REASONS:**

- 1. THE STEPS TO LEGALIZE THE 3<sup>RD</sup> FLOOR USE WERE INITIATED WHEN THE ELECTRICAL PERMIT WAS ISSUED FOR 3 RESIDENTIAL UNITS AND A LANDLORD METER.**

**2. THE ELECTRICAL UPGRADE, IN ADDITION TO THE TAX ASSESSORS' RECORDS INDICATING A 3-FAMILY USE, PROVIDES A UNIQUE HARDSHIP FOR THIS PROPERTY.**

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

**RE: D-1 (#1) 840 Grand St. – Petition of Dan Epifano (Esplanade, LLC) – Seeking a variance of Sec. 4-12-3 and Sec. 4-12-4 which prohibits the extension and enlargement of a non-conforming building and use, and also seeking to waive the minimum landscaping requirements the maximum site coverage requirement; and the minimum side setback requirements of Sec. 5-1-3 to permit a 2<sup>nd</sup> story addition and a ground level addition to the existing remains of a contractor's garage in a R-C zone.**

**\*\* COMMISSIONER GRACE MOVED TO DEFER ITEM # D-1 (#1) 840 GRAND ST. – PETITION OF DAN EPIFANO (ESPLANADE, LLC) – SEEKING A VARIANCE OF SEC. 4-12-3 AND SEC. 4-12-4 WHICH PROHIBITS THE EXTENSION AND ENLARGEMENT OF A NON-CONFORMING BUILDING AND USE, AND ALSO SEEKING TO WAIVE THE MINIMUM LANDSCAPING REQUIREMENTS THE MAXIMUM SITE COVERAGE REQUIREMENT; AND THE MINIMUM SIDE SETBACK REQUIREMENTS OF SEC. 5-1-3 TO PERMIT A 2<sup>ND</sup> STORY ADDITION AND A GROUND LEVEL ADDITION TO THE EXISTING REMAINS OF A CONTRACTOR'S GARAGE IN A R-C ZONE TO MONDAY SEPTEMBER 9, 2013.**

**\*\*COMMISSIONER EAGEN SECONDED  
\*\*THE MOTION PASSED UNANIMOUSLY**

**RE: #1 3257 Fairfield Ave. – Petition of TCM Realty Company, LLC – Seeking a use variance of Sec. 6-1-2, and also seeking a variance of the prohibition of enlarging a nonconforming use under Sec. 4-12-3a; the minimum landscaping buffer of 5' to the L-3 standard, as well as the minimum landscaping requirement of Sec. 6-1-3 to permit the establishment of a licensed motor vehicle repair facility in a portion of the existing contractor facility in an OR zone.**

**\*\*COMMISSIONER GRACE MOVED TO DEFER ITEM # 1 3257 FAIRFIELD AVE. – PETITION OF TCM REALTY COMPANY, LLC – SEEKING A USE VARIANCE OF SEC. 6-1-2, AND ALSO SEEKING A VARIANCE OF THE PROHIBITION OF ENLARGING A NONCONFORMING USE UNDER SEC. 4-**

**12-3A; THE MINIMUM LANDSCAPING BUFFER OF 5' TO THE L-3 STANDARD, AS WELL AS THE MINIMUM LANDSCAPING REQUIREMENT OF SEC. 6-1-3 TO PERMIT THE ESTABLISHMENT OF A LICENSED MOTOR VEHICLE REPAIR FACILITY IN A PORTION OF THE EXISTING CONTRACTOR FACILITY IN AN OR ZONE TO MONDAY SEPTEMBER 9, 2013.**

**\*\*COMMISSIONER EAGEN SECONDED  
\*\* THE MOTION PASSED UNANIMOUSLY**

**RE: #2 16, 32, 36, 40 & 46 Columbia Court – Petition of Bridgeport Neighborhood Trust – Seeking a variance of Sec. 5-1-3 of the minimum 2,700 sq. ft. of property per residential use to permit the construction of a 3-story, 6-unit apartment house in an R-C zone.**

**\*\*COMMISSIONER GRACE MOVED TO APPROVE ITEM #2 16, 32, 36, 40 & 46 COLUMBIA COURT – PETITION OF BRIDGEPORT NEIGHBORHOOD TRUST – SEEKING A VARIANCE OF SEC. 5-1-3 OF THE MINIMUM 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL USE TO PERMIT THE CONSTRUCTION OF A 3-STORY, 6-UNIT APARTMENT HOUSE IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. PETITIONER SHALL COMPLY WITH ALL OF THE FIRE MARSHAL'S DIRECTIVES RELATING TO THIS PROJECT.**
- 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.**

**FOR THE FOLLOWING REASON:**

- 1. THE HARDSHIP FOR THIS PROJECT IS DUE TO THE DEVELOPMENT OF THIS SOUTHEND NEIGHBORHOOD PRIOR TO THE ENACTMENT OF ZONING REGULATIONS.**

**\*\*COMMISSIONER RUSSO SECONDED  
\*\* THE MOTION PASSED UNANIMOUSLY**

**RE: #3 158 Alice St. – Petition of Joaquim Ferreira – Seeking variances of the minimum side yard and rear yard setback requirements under Sec. 5-1-3 to construct a 2<sup>nd</sup> floor addition to the existing three-car garage to be utilized as a single-family residence with no useable rear yard in an R-C zone.**

**\*\*COMMISSIONER GRACE MOVED TO DEFER ITEM #3 158 ALICE ST. – PETITION OF JOAQUIM FERREIRA – SEEKING VARIANCES OF THE MINIMUM SIDE YARD AND REAR YARD SETBACK REQUIREMENTS UNDER SEC. 5-1-3 TO CONSTRUCT A 2<sup>ND</sup> FLOOR ADDITION TO THE EXISTING THREE-CAR GARAGE TO BE UTILIZED AS A SINGLE-FAMILY RESIDENCE WITH NO USEABLE REAR YARD IN AN R-C ZONE TO MONDAY SEPTEMBER 9, 2013**

**\*\*COMMISSIONER EAGEN SECONDED  
\*\* THE MOTION PASSED UNANIMOUSLY**

**RE: #4 335 Benham Ave. – Petition of Navarino Capital – Seeking a use variance of Sec. 5-1-2, and also seeking a variance of the prohibition of extending or enlarging a nonconforming use under Sec. 4-12-3; waiving the maximum site coverage and minimum landscaping requirements of Sec. 5-1-3; waiving 32 of the 54 required on-site parking spaces; the minimum parking setback and perimeter and interior landscaping requirement of Sec. 11-1-13 and the minimum driveway width requirement of Sec. 11-1-11 to permit the addition of 8 residential units to the existing 36-residential-unit apartment building in an R-B zone.**

**\*\*COMMISSIONER EAGEN MOVED TO DENY ITEM # 4 335 BENHAM AVE. – PETITION OF NAVARINO CAPITAL – SEEKING A USE VARIANCE OF SEC. 5-1-2, AND ALSO SEEKING A VARIANCE OF THE PROHIBITION OF EXTENDING OR ENLARGING A NONCONFORMING USE UNDER SEC. 4-12-3; WAIVING THE MAXIMUM SITE COVERAGE AND MINIMUM LANDSCAPING REQUIREMENTS OF SEC. 5-1-3; WAIVING 32 OF THE 54 REQUIRED ON-SITE PARKING SPACES; THE MINIMUM PARKING SETBACK AND PERIMETER AND INTERIOR LANDSCAPING REQUIREMENT OF SEC. 11-1-13 AND THE MINIMUM DRIVEWAY WIDTH REQUIREMENT OF SEC. 11-1-11 TO PERMIT THE ADDITION OF 8 RESIDENTIAL UNITS TO THE EXISTING 36-RESIDENTIAL-UNIT**

**APARTMENT BUILDING IN AN R-B ZONE FOR THE FOLLOWING REASONS:**

- 1. TO ESTABLISH OR INTENSIFY THE USE OF THE SUBJECT PREMISES, WHICH HAS CRITICAL TRAFFIC CONGESTION AND INADEQUATE PARKING OVERALL, WOULD RESULT IN A FURTHER DETRIMENT TO PUBLIC SAFETY.**
- 2. THE PETITIONER FAILED TO ESTABLISH AN EXCEPTIONAL DIFFICULTY OR UNUSUAL HARDSHIP RELATING TO THE PROPOSED USE OF THE SUBJECT PREMISES.**
- 3. THE PROJECT, IF APPROVED, WOULD ONLY INCREASE INTENSITY OF THE EXISTING NONCONFORMING USE.**

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

**RE: #5 1793-1823 Stratford Ave. – Petition of Bridgeport Neighborhood Trust – Seeking variances of the floor area ratio requirement; minimum front lot line requirement, as well as the maximum height requirement of Sec. 6-1-3, and also seeking to waive 39 of the required 67 on-site parking spaces and waive the 5’ perimeter landscaping requirement of Sec. 11-1-13 to permit the construction of a 3-story mixed use building in an O-R zone.**

**\*\*COMMISSIONER GRACE MOVED TO APPROVE ITEM # 5 1793-1823 STRATFORD AVE. – PETITION OF BRIDGEPORT NEIGHBORHOOD TRUST – SEEKING VARIANCES OF THE FLOOR AREA RATIO REQUIREMENT; MINIMUM FRONT LOT LINE REQUIREMENT, AS WELL AS THE MAXIMUM HEIGHT REQUIREMENT OF SEC. 6-1-3, AND ALSO SEEKING TO WAIVE 39 OF THE REQUIRED 67 ON-SITE PARKING SPACES AND WAIVE THE 5’ PERIMETER LANDSCAPING REQUIREMENT OF SEC. 11-1-13 TO PERMIT THE CONSTRUCTION OF A 3-STORY MIXED USE BUILDING IN AN O-R ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PROJECT AS APPROVED SHALL BE IN STRICT ACCORD WITH THE REVISED PLANS 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.**

**FOR THE FOLLOWING REASONS:**

1. **THE UNIQUE SHAPE OF THIS CORNER LOT NECESSITATES THE NEED FOR VARIANCES TO PROPERLY DEVELOP THIS SITE.**
2. **VARIANCES REQUESTED ARE MINIMAL AND THE PROJECT, AS APPROVED, WILL HAVE NO ADVERSE IMPACT ON THE NEIGHBORHOOD.**

**\*\*COMMISSIONER RUSSO SECONDED  
\*\* THE MOTION PASSED UNANIMOUSLY**

**RE: #6 681 East Main St. – Petition of 681 East Main, LLC – Seeking a variance of all of the required off-street parking spaces of Sec. 11-1-2 to permit the expansion from 6 to 14 residential units in the existing mixed use building in an OR zone.**

**\*\*COMMISSIONER EAGEN MOVED TO DENY WITHOUT PREJUDICE ITEM # 6 681 EAST MAIN ST. – PETITION OF 681 EAST MAIN, LLC – SEEKING A VARIANCE OF ALL OF THE REQUIRED OFF-STREET PARKING SPACES OF SEC. 11-1-2 TO PERMIT THE EXPANSION FROM 6 TO 14 RESIDENTIAL UNITS IN THE EXISTING MIXED USE BUILDING IN AN OR ZONE FOR THE FOLLOWING REASONS:**

1. **PLANS LACK DIMENSION, AS WELL AS KITCHEN AND BATH LAYOUT.**
2. **INADEQUATE AND CONFLICTING PARKING AGREEMENT.**
3. **THE PROJECT REQUIRES LONG TERM OFF-STREET PARKING ARRANGEMENT IN ORDER FOR THE BOARD TO CONSIDER THIS APPLICATION.**

**\*\* COMMISSIONER RUSSO SECONDED  
\*\* THE MOTION PASSED UNANIMOUSLY**

**RE: #7 98 Grovers Ave. – Petition of K. Oni Chukwu – Seeking a variance of Sec. 4-3-1 to reduce the required setback from front lot line accessory structure from the required 75 ft. to 74.3 ft. for the garage building and from 75 ft. to 63 ft. for the guest house building; and a variance of Sec. 4-3-2-b-2 to reduce the required setback for the existing garage from 2<sup>nd</sup> (corner lot) front lot line with Anchorage Dr. from the required 75 ft. to 16.6 ft., and a variance from Sec. 4-7-1 to reduce the maximum permitted building coverage from (not to exceed) 3,000 square ft. to 7,518 square ft.; and a variance of Sec. 4-4 to increase the maximum height of a principal structure from 28 ft. at the mid-point and 35 ft. at the ridge to comply with FEMA requirements and to increase the maximum height of an accessory structure from 15 ft. at the ridge to also meet FEMA requirements; and also a variance of Sec. 4-2-6 to permit the use of the existing guest cottage and use of the existing chauffeur apartment above the garage to be continued.**

**\*\*COMMISSIONER CAROLAN MOVED TO APPROVE ITEM #7 98 GROVERS AVE. – PETITION OF K. ONI CHUKWU – SEEKING A VARIANCE OF SEC. 4-3-1 TO REDUCE THE REQUIRED SETBACK FROM FRONT LOT LINE ACCESSORY STRUCTURE FROM THE REQUIRED 75 FT. TO 74.3 FT. FOR THE GARAGE BUILDING AND FROM 75 FT. TO 63 FT. FOR THE GUEST HOUSE BUILDING; AND A VARIANCE OF SEC. 4-3-2-B-2 TO REDUCE THE REQUIRED SETBACK FOR THE EXISTING GARAGE FROM 2<sup>ND</sup> (CORNER LOT) FRONT LOT LINE WITH ANCHORAGE DR. FROM THE REQUIRED 75 FT. TO 16.6 FT., AND A VARIANCE FROM SEC. 4-7-1 TO REDUCE THE MAXIMUM PERMITTED BUILDING COVERAGE FROM (NOT TO EXCEED) 3,000 SQUARE FT. TO 7,518 SQUARE FT.; AND A VARIANCE OF SEC. 4-4 TO INCREASE THE MAXIMUM HEIGHT OF A PRINCIPAL STRUCTURE FROM 28 FT. AT THE MID-POINT AND 35 FT. AT THE RIDGE TO COMPLY WITH FEMA REQUIREMENTS AND TO INCREASE THE MAXIMUM HEIGHT OF AN ACCESSORY STRUCTURE FROM 15 FT. AT THE RIDGE TO ALSO MEET FEMA REQUIREMENTS; AND ALSO A VARIANCE OF SEC. 4-2-6 TO PERMIT THE USE OF THE EXISTING GUEST COTTAGE AND USE OF THE EXISTING CHAUFFEUR APARTMENT ABOVE THE GARAGE TO BE CONTINUED FOR THE FOLLOWING REASON:**

- 1. TO PROTECT THE PROPERTY OWNERS WELL ESTABLISHED PRE-EXISTING RIGHTS.**

**\*\*COMMISSIONER GRACE SECONDED  
\*\*MOTION PASSED UNANIMOUSLY**

## **OTHER BUSINESS**

**Dennis Buckley:**

1. The owners of the former Papa George's Avenue Café on Fairfield Avenue now are not sure if they want it to be a restaurant, body shop or offices. Dennis told them to come back to the City once they decide and they will be advised how to proceed.

### **OB-1 J. P. Philbin Landscapes, LLC 3369 & 3375 Fairfield Avenue**

Mr. Buckley said Mr. Philbin contacted his office to request a modification to the approved site plan. Mr. Buckley has been monitoring the site and they are in violation of conditions by storing landscaping equipment on this site.

Mr. Buckley told them they need to be in compliance before the city can entertain any changes to the approval. They do not have a CO because of these violations. Chair Piccirillo wants the City to push them on the non-compliance issues.

## **APPROVAL OF MINUTES**

### **Approval of ZBA Minutes for June 11, 2013.**

Correction: page 12, #6 change "GRANCE" to "GRACE"

**\*\*COMMISSIONER GRACE MOVED TO APPROVE AS CORRECTED THE MINUTES OF JUNE 11, 2013**

**\*\*CHAIR PICCIRILLO SECONDED**

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

### **Approval of ZBA Minutes for July 9, 2013**

Correction: page 2, Mr. Jacoby, 55 Suburban Avenue, add "remove side deck"

Correction: page 11, correct spelling for Judge "Radcliffe"

**\*\*COMMISSIONER CAROLAN MOVED TO APPROVE AS CORRECTED THE MINUTES OF July 9, 2013**

**\*\*COMMISSIONER EAGEN SECONDED**

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

**ADJOURNEMENT**

**\*\*COMMISSIONER CAROLAN MOVED TO ADJOURN  
\*\*COMMISSIONER EAGEN SECONDED  
\*\*THE MOTION PASSED UNANIMOUSLY**

Meeting was closed at 8:05 PM

Respectfully submitted,

Jill Kuzmich  
Telesco Secretarial Services