

**CITY OF BRIDGEPORT  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
SEPTEMBER 8, 2015**

**ATTENDANCE:** John J. Carolan; Maria Alves; Linda Grace, Chair; Kelly Perez; Robin Shepard

**STAFF:** Dennis Buckley, Zoning Official

**CALL TO ORDER**

The Chair called the meeting to order at 6:05 PM. A quorum was present.

**DEFERRED ITEMS**

**D-1 (#4) (908)-910 Wood Ave. – Petition of VBCI Bridgeport Ministries, Inc – Seeking variances of the maximum site coverage and minimum landscaping requirements of Sec. 6-1-3 and waive all 20 (twenty) of the minimum number of off-street parking spaces required under Sec. 11-1-2 to permit the establishment of a community facility in conjunction with a New York state religious organization in the existing commercial building in an OR zone.**

Mr. Aboagye came forward and introduced himself to the commissioners. He stated that they were asking for a variance in order to facilitate the establishment of a program that focuses on music and arts education for children. He stated that he anticipates new children being trained and brought in every 3 to 6 months.

Commissioner Perez expressed her concern about the suitability of the location, given the exponential rate of children that will be coming through.

Commissioner Shepard asked about the student to teacher ratio, and Mr. Aboagye stated that the Church's staff and assistants will assist the Director of Music, as well as drummers and keyboardists.

The Chair asked how many individuals that would add, and Mr. Aboagye stated it would be roughly 2 individuals.

The Chair asked if there was anyone present who wished to speak in favor of the application. Fred Cascowitz came forward and stated that he was the owner of the property with his partner, Maureen Hamill. He stated that they are excellent tenants, and attract a good quality of individual to the area. Mr. Cascowitz further stated that a former tenant was a Tae Kwon Do studio, who made parking impossible, and that the current tenants have caused no such disruptions.

The Chair asked how far into the lease the tenants currently are, and Mr. Cascowitz stated that the lease began October 2014, and extends into 2017.

The Chair asked if there was anyone who wished to speak in opposition. Hearing none, she closed the hearing on (908) 910 Wood Avenue.

### **NEW ITEMS**

**#1. 71-73 Morehouse St. – Petition of Robert Jantz-Sell – Appealing under Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and 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 the establishment of a residential apartment above an existing two-car garage in an R-B zone.**

The Chair announced that the item would not be heard.

**#2. 269 Fairfield Ave. – Petition of 277 Fairfield Avenue, LLC – Seeking a variance of Sec. 12-10 to permit the establishment of an outdoor dining patio use and the issuance of a patio liquor permit in conjunction with the existing full-service restaurant in the DVD-CORE zone.**

Philip Cutchma, the owner of Bijou Square, came forward and turned in the appropriate mailings. He stated that the variance is to allow Kevin Lalumiere to open up a restaurant in the location that formerly housed Cafe Roma. He stated that a number of the buildings in the area have restaurants that also have outdoor dining. He stated that there is available area on the property that won't invade the sidewalk and thus is an ideal location for an outdoor dining location. He further stated that they have a 900 car parking garage as a part of the neighborhood complex, and thus it should not impact off-street parking. Mr. Cutchma stated that the space Mr. Lalumiere is renovating is the former Bijou Theatre. He came forward with the floorplans and indicated the sidewalks and outdoor dining area.

The Chair asked if the gates on the property would be open, and Mr. Cutchma stated that they would be. Mr. Buckley stated that it would be viewed as a patio, and thus it would be an acceptable place to exit from, but not a way to egress in. Mr. Cutchma stated that he would be willing to make the gate smaller and incorporate a panel if requested.

Commissioner Alves asked if the outdoor dining area would be year round, and Mr. Lalumiere stated that it would be seasonal.

The Chair asked if there was anyone who wished to speak in favor the application. No one came forward. She then asked if anyone wished to speak in opposition. Hearing none, she closed the hearing on 269 Fairfield Avenue.

**#3. 284 Madison Ave. – Petition of Doreth Mckenzie – Seeking to waive the minimum number of off-street parking spaces under Sec. 11-1-2 to permit the construction of a 280 sq. ft., 1-story addition to the existing commercial building on a nonconforming lot in an R-C zone.**

Doreth McKenzie came forward and turned in the appropriate mailings. Fran Hodges also came forward and introduced herself to the commissioners. Ms. Hodges stated that they are seeking to add a 280 square foot addition to house dryers and washing machines. She stated that their goal is to be more convenient for their current customers, rather than expand their customer base. She stated that they are across from an apartment building and three residential homes, thus most of their traffic is on foot.

Commissioner Alves asked about an additional structure on the property, and Ms. McKenzie stated that it is a small boiler room, and that there is no parking in that area. Commissioner Alves asked about their parking capabilities, and Ms. McKenzie stated that there are 3 for their employees.

The Chair asked how long the business had been open, and Ms. McKenzie stated that it has been open for 16 years. The Chair asked about the regular hours of operation. Ms. Hodges stated that they are open 7 days a week, from 8 AM to 8 PM. Ms. Hodges further stated that the business is family owned, and that she worked there with her parents until she went to law school. The Chair asked about the number of washer-dryers, and Ms. Hodges stated that it would amount to 5 dryers and 3 washers, all self-serve.

The Chair asked if there was anyone who wished to speak in favor the application. No one came forward. She then asked if anyone wished to speak in opposition. Hearing none, she closed the hearing on 284 Madison Avenue.

**#4. 1955 Boston Ave. – Petition of Saltamontes Tire Company – Seeking a use variance under Sec. 6-1-2 and also seeking a variance of Table 7 relating to the tire mounting, balancing and installation on passengers’ vehicles, as well as the establishment of a road service business, including the parking of service vehicles in the existing commercial building in an OR zone.**

Atty. Raymond Jimenez came forward representing Saltamontes Tire Company, and turned in the appropriate mailings. Mr. Jimenez stated that the company has been in business for over 5 years, and that they currently have 2 vehicles on the property. Atty. Jimenez distributed photos of the property.

Atty. Jimenez stated that they do not intend to service tractor trailers at the location, and will service passenger vehicles only. He stated that they still intend to do tractor trailers off site. Atty. Jimenez stated that the side of the property, where a former drive up window is present, is where they intend to change the tires.

Commissioner Perez expressed her concern about the narrowness of the area where they intend to change the tires. Atty. Jimenez stated that there is enough space for a standard size truck, as one of the company’s large service trucks is currently parked there, and it still has enough room to change the tires. He stated that as they develop, they intend to enclose the tire changing station. He further stated that the property was formerly distressed, and that the current occupants have had to do a great deal of work to get the property to the point it is now.

Commissioner Alves asked about the movement of the company’s trucks, and Atty. Jimenez stated that the vehicles go out before 7 AM and return to the facility slightly after 5 PM.

Smiley Pineda came forward and stated that it is a small, family owned business operated by himself, his mother, his father, and his siblings. He stated that there are a total of 5 people working at the Boston Avenue site.

The Chair asked if they intend to build overhead doors, and Mr. Pineda stated that he wanted to know if the awning left from the former bank would be a sufficient area to do tire repair, as it has enough space to do so. Mr. Pineda explained the process.

Commissioner Carolan expressed his concern about the efficiency and lack of space for their operations on site. Atty. Jimenez stated that they intend to expand from the site, but at present they will keep it a smaller operation.

Mr. Pineda stated that there will be no large trucks on the property, other than their service trucks. The Chair asked if they received tire deliveries, and he stated that they do, but only in the early morning hours. Atty. Jimenez stated that the business could actually help ease the flow of traffic by servicing cars. Mr. Pineda stated that there were a few instances where tractor trailers would attempt to come to their location, but that he would turn them away and direct them somewhere else, as maintenance on them is not feasible at the 1955 Boston Avenue site.

The Chair asked where old tires are stored, and Mr. Pineda stated that they are kept temporarily on the property, but are disposed of at the end of every business day.

The Chair asked if there is a waiting room on site, and Atty. Jimenez stated that there is a small area with chairs and a reception desk, along with a coffee station and men's and women's restrooms.

Mr. Pineda stated that they do not need a great deal of space to change the tires, and that they intend to inclose the awning section of the property, particularly due to winter temperatures.

The Chair asked if there was anyone who wished to speak in favor the application. No one came forward. She then asked if anyone wished to speak in opposition. Hearing none, she closed the hearing on 1955 Boston Avenue.

### **DECISION SESSION**

**D-1 (#4) (908)-910 WOOD AVE. – PETITION OF VBCI BRIDGEPORT MINISTRIES, INC – SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND MINIMUM LANDSCAPING REQUIREMENTS OF SEC. 6-1-3 AND WAIVE ALL 20 (TWENTY) OF THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A COMMUNITY FACILITY IN CONJUNCTION WITH A NEW YORK STATE RELIGIOUS ORGANIZATION IN THE EXISTING COMMERCIAL BUILDING IN AN OR ZONE.**

**\*\* COMMISSIONER PEREZ MOVED TO GRANT ITEM D-1 (#4) (908)-910 WOOD AVE. – PETITION OF VBCI BRIDGEPORT MINISTRIES, INC – SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND MINIMUM**

**LANDSCAPING REQUIREMENTS OF SEC. 6-1-3 AND WAIVE ALL 20 (TWENTY) OF THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A COMMUNITY FACILITY IN CONJUNCTION WITH A NEW YORK STATE RELIGIOUS ORGANIZATION IN THE EXISTING COMMERCIAL BUILDING IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. USE OF THE SUBJECT PREMISES FOR PROGRAMS BY THE YOUTH ASSOCIATED WITH THIS FACILITY IS RESTRICTED TO SATURDAY AND SUNDAY AFTERNOONS FROM 12 PM TO 4 PM.**
- 2. STAFF MEETINGS AND TRAINING SHALL ONLY BE CONDUCTED ON THURSDAY AND SATURDAY AFTERNOONS AND EARLY EVENINGS.**
- 3. ACTIVITIES OFFERED TO CHILDREN SHALL CONSIST OF ARTS AND CRAFTS PROJECTS AND MUSIC LESSONS.**
- 4. ANY GATHERINGS FOR RECITALS FOR PARENTS SHALL BE HELD AT ANOTHER LOCATION.**

**FOR THE FOLLOWING REASONS:**

- 1. THERE ARE NO FAMILY FACILITIES IN THE IMMEDIATE AREA AND THE APPROVED HOURS OF OPERATION WILL NOT CONTRIBUTE TO THE LACK OF AVAILABLE PARKING.**
- 2. PROGRAMS FOR YOUTH DEVELOPMENT ARE A BENEFIT TO CITY RESIDENTS.**

**\*\* COMMISSIONER SHEPARD SECONDED THE MOTION.**

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

**#1. 71-73 MOREHOUSE ST. – PETITION OF ROBERT JANTZ-SELL – APPEALING UNDER SEC. 14-10 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT AND 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 THE ESTABLISHMENT OF A RESIDENTIAL APARTMENT ABOVE AN EXISTING TWO-CAR GARAGE IN AN R-B ZONE.**

**\* ITEM #1 RE: 71-73 MOREHOUSE ST. – PETITION OF ROBERT JANTZ-SELL – APPEALING UNDER SEC. 14-10 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT AND 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 THE ESTABLISHMENT OF A RESIDENTIAL APARTMENT ABOVE AN EXISTING TWO-CAR GARAGE IN AN R-B ZONE **WAS WITHDRAWN** FOR THE FOLLOWING REASON:**

- 1. THE CEASE AND DESIST ORDER WAS RESCINDED.**

**#2. 269 FAIRFIELD AVE. – PETITION OF 277 FAIRFIELD AVENUE, LLC – SEEKING A VARIANCE OF SEC. 12-10 TO PERMIT THE ESTABLISHMENT OF AN OUTDOOR DINING PATIO USE AND THE ISSUANCE OF A PATIO LIQUOR PERMIT IN CONJUNCTION WITH THE EXISTING FULL-SERVICE RESTAURANT IN THE DVD-CORE ZONE.**

**\*\* COMMISSIONER CAROLAN MOVED TO GRANT #2. 269 FAIRFIELD AVE. – PETITION OF 277 FAIRFIELD AVENUE, LLC – SEEKING A VARIANCE OF SEC. 12-10 TO PERMIT THE ESTABLISHMENT OF AN OUTDOOR DINING PATIO USE AND THE ISSUANCE OF A PATIO LIQUOR PERMIT IN CONJUNCTION WITH THE EXISTING FULL-SERVICE RESTAURANT IN THE DVD-CORE ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE ONLY ACCESS TO THE DINING PATIO SHALL BE THROUGH THE RESTAURANT.**
- 2. USE OF THE PATIO IS SEASONAL APRIL 15 THROUGH NOVEMBER 15 AND SHALL CLOSE WHEN THE KITCHEN CLOSSES.**
- 3. ENTERTAINMENT OF ACOUSTIC MUSIC SHALL BE CONFINED TO THE RESTAURANT ONLY.**
- 4. THERE SHALL BE NO ENTERTAINMENT ON THE PATIO AT ANY TIME FOR ANY REASON.**

**FOR THE FOLLOWING REASONS:**

- 1. THE GRANTING OF THIS PETITION IS IN KEEPING WITH THE RESTAURANT/ENTERTAINMENT FACILITIES IN THE IMMEDIATE AREA.**
- 2. THE DINING PATIO OF THE BUILDING UTILIZES AN OTHERWISE DORMANT PORTION OF THE BUILDING PREVIOUSLY USED BY THE MOVIE THEATRE.**

**\*\* COMMISSIONER PEREZ SECONDED THE MOTION.**

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

**#3. 284 MADISON AVE. – PETITION OF DORETH MCKENZIE – SEEKING TO WAIVE THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES UNDER**

**SEC. 11-1-2 TO PERMIT THE CONSTRUCTION OF A 280 SQ. FT., 1-STORY ADDITION TO THE EXISTING COMMERCIAL BUILDING ON A NONCONFORMING LOT IN AN R-C ZONE.**

**\*\* COMMISSIONER SHEPARD MOVED TO GRANT #3. 284 MADISON AVE. – PETITION OF DORETH MCKENZIE – SEEKING TO WAIVE THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES UNDER SEC. 11-1-2 TO PERMIT THE CONSTRUCTION OF A 280 SQ. FT., 1-STORY ADDITION TO THE EXISTING COMMERCIAL BUILDING ON A NONCONFORMING LOT IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL FILE PLANS AND APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING ARMPIT.**
- 2. ALL CONSTRUCTION SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.**

**FOR THE FOLLOWING REASONS:**

- 1. THIS WILL FACILITATE THE EXPANSION OF AN EXISTING NEIGHBORHOOD FAMILY OWNED AND OPERATED BUSINESS.**
- 2. THE ADDITIONAL MACHINES IN THIS ADDITION WILL PROVIDE ADDED SERVICE TO AN EXISTING CUSTOMER BASE.**

**\*\* COMMISSIONER CAROLAN SECONDED THE MOTION.**

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

**#4. 1955 BOSTON AVE. – PETITION OF SALTAMONTES TIRE COMPANY – SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING A VARIANCE OF TABLE 7 RELATING TO THE TIRE MOUNTING, BALANCING AND INSTALLATION ON PASSENGERS’ VEHICLES, AS WELL AS THE ESTABLISHMENT OF A ROAD SERVICE BUSINESS, INCLUDING THE PARKING OF SERVICE VEHICLES IN THE EXISTING COMMERCIAL BUILDING IN AN OR ZONE.**

**\*\* COMMISSIONER PEREZ MOVED TO DENY #4. 1955 BOSTON AVE. – PETITION OF SALTAMONTES TIRE COMPANY – SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING A VARIANCE OF TABLE 7 RELATING TO THE TIRE MOUNTING, BALANCING AND INSTALLATION ON PASSENGERS’ VEHICLES, AS WELL AS THE ESTABLISHMENT OF A ROAD SERVICE BUSINESS,**

**INCLUDING THE PARKING OF SERVICE VEHICLES IN THE EXISTING COMMERCIAL BUILDING IN AN OR ZONE FOR THE FOLLOWING REASONS:**

- 1. ANY OUTSIDE REPAIRS OR SERVICE TO VEHICLES IS STRICTLY PROHIBITED IN ANY AUTO-RELATED SERVICE ESTABLISHMENT.**
- 2. THE PETITIONER FAILED TO PRESENT ANY EXCEPTIONAL OR UNUSUAL CONDITION OF HARDSHIP RELATING TO THIS PROPERTY.**

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

#### **APPROVAL OF MINUTES**

**\*\* COMMISSIONER ALVES MOVED TO APPROVE THE MEETING MINUTES OF THE PREVIOUS MEETING WITH THE FOLLOWING CORRECTIONS:**

- 1. ATTY. PURWELL IS TO BE CORRECTED TO PROTO IN EVERY INSTANCE.**
- 2. COMMISSIONER SHEPARD'S GIVEN NAME IS TO BE SPELLED ROBIN.**

**\*\* COMMISSIONER PEREZ SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

#### **ADJOURNMENT**

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

The meeting concluded at 7:15 PM.

Respectfully submitted,

Catherine Ramos  
Telesco Secretarial Services