PLANNING AND ZONING COMMISSION
FEBRUARY 25, 2014
MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace, Room 210
Bridgeport, CT 06604
(203) 576-7217 Phone
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ATTENDANCE: Mel Riley, Acting Chair; Tom Fedele, Bob Filotei, Joe Tiago, Edgar Rodríguez, Reggie Walker; Robert Morton (7:00 p.m.)

STAFF: Dennis Buckley, Zoning Officer; Diego Guerrero, Design Review Coordinator; Atty. Ed Schmidt, City Attorney's Office

CALL TO ORDER

Mr. Riley called the meeting to order at 6:10 p.m. A quorum was present.

DEFERRED BUSINESS.

D-1 (13-74) 379 Bond St. (aka 1285 Boston Ave.) – Petition of the City of Bridgeport School Building Committee – Seeking a zone change from I-L to R-C (Block 1901, Lot 1) beginning at a point on the westerly side of Bond Street, S 15° 46' 27" W a distance of 52.11' from a granite monument with disc, thence the following courses and distances: S 15° 46' 27" W a distance of 1297.54' to a point; N 74° 13'33" W a distance of 277.66' to a point; N 15° 46' 27" E a distance of 42.30' to a point; N 74° 13'33" W a distance of 308.62' to a point; N 15° 46' 27" E a distance of 1255.24' to a point; S 74° 13'33" E a distance of 586.28' to a point and point of beginning. Said parcel area contains 747,668.41 sq.ft. +/- or 17.16 acres +/-, and is referenced as "topographic survey (partial) at (General Electric Company) 1285 Boston Avenue Bridgeport, Connecticut"; a special permit, and a site plan review to permit the construction of a 155,00 sq. ft. school building and sports fields in the proposed R-C zone.

Atty. Ray Rizio came forward and introduced himself to the Commission. He said that he was representing the School Building Committee. Mr. Filotei asked if it was appropriate to hear the application tonight. Atty. Rizio replied that there were other committees that the Commission would hear from and that his clients believed that they had the right to be heard. Mr. Riley pointed out that the petitioners were empowered by the City Council to construct the schools in the City of Bridgeport. It was also noted that there are numerous approvals related to many committees. The location for the school has already been approved by the school building committee. Discussion followed about the fact that the project still needed more approvals from other bodies. Concerns about the fact that this site was identified as a brown field were raised.

Mr. Riley reminded everyone that the Commission was acting in a land use capacity. Mr. Tiago pointed out that the controversy would occur regardless. It was also noted that every other school project has raised controversy also.

Atty. Rizio said that he was confident about this project and that the site for the school has to be cleaned up to residential standards. He said that including a condition of approval that a certificate of completion to residential standards from the DEEP would be acceptable. The DEEP will be reviewing the project and the site clean up.

Mr. Kooris pointed out that in the past, the City has not been able to locate an appropriate site for the school that satisfies the requirements. Mr. Riley asked how much land was needed. Mr. Kooris replied that the existing site is approximately 10 acres, but the City was looking for between 12 to 15 acres.

Rebuilding on the current Harding site was considered, but it was determined that it would be too difficult to stage and too disruptive. There are also some challenges with the topography of the site. The City considered between 12 and 15 and approached the owner of the Rembrandt site, but they were not interested, nor were the owners of Steel Point or the Shoreline Star properties.

The former G.E. site became available in 2010 but initially, the owners were not interested in discussing this project with the City. After a grant was awarded, G.E. embarked on an aggressive remediation program for the site. In 2012, G.E. was ready to begin a conversation with the City.

When there has been new school construction in the city, it has involved large property takings and become contentious. This time, the City hired its own consultants to assess the school project. Once it was determined that the project was feasible and could meet the high standards required, then and only then the project was brought forward for approvals. G.E. has agreed to this condition and the project has been approved by the City Council for the 17 acres to be remediated to the level that the DEEP would require to construct a school. This is the only site that does not require additional parcels to be taken.

Mr. Riley asked if G.E. was remediating the site. Mr. Kooris said that the DEEP will review the site and certify that it is up to residential standards. He explained that there is a separate DEEP stewardship process. The City has a contract proposal and will be leasing the site.

Mr. Kooris went on to explain that there would be a series of triggers and gave a brief overview of these local steps.

Mr. Riley asked what the project completion date was. Mr. Kooris said that there were multiple approvals still needed but it was hoped to have this completed and occupied by 2016.

Atty. Rizio explained that currently the parcel was located in the I-L (Industrial Light) zone and the request is for a zone change to R-C (Residential C) that encompasses mixed use beyond residential and would permit the school. He said that this was not spot zoning and that the best use for this parcel would be for the school. In terms of the Master Plan, the project would improve the neighborhood.

Mr. Riley said that the application was only for the portion of the parcel that involved the school's footprint. The balance of the 60 acres would remain light industrial. Mr. Kooris said that in the future, G.E. might apply for another zone change from light industrial for other portions of the parcel. Atty. Rizio pointed out that by not extending the zoning all the way to the road, the application is consistent with the Master Plan.

Mr. Riley asked what would happen if Planning and Zoning approved the change of zone for the 17 acres but the school was not built. Mr. Kooris said that the R-C zoning would be a good move. Atty. Rizio said that this wouldn't allow the cart before the horse since a mixed use zoning could permit a project to be done on the site without Planning and Zoning's oversight. He said that he felt the change would make sense and reminded everyone that the bulk of the parcel would still be under the Commission's oversight. One of the goals in the Master Plan is the remediation of the various brown fields. This will be done for these 17 acres to the highest standards.

Atty. Rizio then distributed a hand out to the Commissioners.

A discussion followed regarding the dismantling of the old G.E. Building and the qualifications of the developer. Atty. Rizio restated that he was comfortable with the project and that it was not spot zoning.

The special permit for the new state of the art high school includes a gymnasium, synthetic turf fields, a new cafeteria and 160 new parking space.

Mr. Riley asked if the students would use mass transit. Atty. Rizio reviewed the details of this aspect and said that the City and the State were discussing the potential traffic changes.

The discussion then moved to the exterior athletic fields and locker building.

Mr. Carver Gleason of Trident Environmental came forward and introduced himself. He said that he was retained by the City of Bridgeport for this project. He said that he had been supplied with copious reports from G. E. and stated that the site could be remediated to the residential standards. The remediation work is already underway. Mr. Riley asked

what kind of contaminants were on the site. Mr. Gleason said that there was coal ash, heavy metals, and numerous other contaminants. These are common for such sites. The removal of these types of contaminants is highly regulated. They will excavate down to a depth of 4 feet on the unpaved areas and 2 feet under the paved areas. These areas will be filled with clean soil. The contaminated materials will then be transported off site.

Mr. Filotei asked Mr. Gleason to give an assessment of the remaining acreage. Mr. Gleason said that there were other pockets of contamination and G.E. would be obligated to follow the same process on those areas.

Atty. Rizio said that he had made a copy of what is covered in a certificate of completion and that a stipulation that there would be no zoning sign off until after the certificate of completion was filed with the Planning and Zoning Department. He reminded everyone that this project still has levels of approval needed so the Commission should be comfortable knowing they protected the health, safety and welfare of the students.

Mr. John Eversley, a site engineer, came forward to give an overview of the athletic fields and pointed out that there would be 161 parking spaces. He also reviewed the number of stories in proposed building with the Commissioners. Buses would be using the Bond Street entrance while the parents would use a separate entrance in the back.

Mr. Eversley pointed out that the grading and the storm water run off system would improve the water quality. Currently, the untreated run off flows directly into Stillman's Pond and the river leading from it.

The discussion then moved to the fact that variances have already been granted for the parking. The traffic report has been submitted to the State for review and indicates there would be a modest decrease. Widening Bond Street is under consideration along with a plan to reconstruct the roads. Mr. Eversley said that the results from the State review of the traffic study are expected to arrive soon and when they do, the report will be given to the Planning and Zoning Commission to review. The site is located in 100 and 500 year flood plains. The DEEP will be reviewing this.

Mr. David Ferris, of Antinozzi Associates located in Bridgeport, then came forward and stated that he was the project manager for the application. He displayed renderings of the exterior of the building from Bond Street.

Mr. Larry Shilling, an O&G Industries program manager, came forward to address the Commissioners regarding the State funding. He then reviewed the funding percentages for both the State and the City. The State grant funding was approved on June 30, 2011 as part of the grant cycle. The site was approved by the School Building Committee on February 25, 2013 and Phase 1 on the school construction documents were approved on February 20, 2014. The projected construction start date is June 30, 2014.

Atty. Rizio summarized by saying that it would be important to establish the property values. He reiterated that the proposed plan is consistent with the Bridgeport Master Plan and would not negatively impact the surrounding areas. This will also support future development in this area and enhance the surround property values. The height and bulk of the proposed school, which is typical for schools buildings, is also consistent with the Master Plan. The project includes adequate safe guards and the area will be remediated. There will be no environmental impact on Long Island Sound. The neighborhood is used to the students being there.

Regarding Section 14-4, Atty. Rizio said that these items have been reviewed. He added that all the requirements for the design review have been met and the application has been before the Inland Wetlands Commission. The proposed building will be a LEEDS certified building and the storm water system has been approved.

Mr. Walker asked about the Mill Hill NRZ. Atty. Rizio said that they had met with the NRZ on January 25, 2014 and there was a vote to support the construction of the Warren Harding High School except for one person.

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

Mr. Riley then asked if there was anyone present who wished to speak in opposition to the application.

Ms. Carmin Lopez, a retired Superior Court Judge, came forward and said that she was present as a concerned Bridgeport resident and a taxpayer. She said that the community does have the resources necessary. She then requested that the Commission defer this to the BOE before changing the zone. Ms. Lopez then read the steps required for approval into the record and expressed concerns about when the application has been filed with Zoning.

Another Bridgeport resident named Carolyn came forward and state that she was confused about the fact that the meeting topic had changed from a zoning change to the site contaminations. She said this was wrong and wanted Mr. John Bagley to study the remediation plans.

Ms. Lopez then submitted a January 13, 2014 petition along with a letter from S. Rocco requesting to please remove the application from the agenda because the Board of Education had not been informed. This entire file should be sent to and discussed with the Board of Education. Ms. Lopez stated that she had met with Atty. Schmidt and been told that the application had been removed from the agenda. She proceeded to give an overview of the various event timeline to her visit to the Zoning Office with Mr. Bagley, where she discovered the application has been submitted and stamped as being received on December 3, 2013. She submitted several documents for inclusion in the record.

Ms. Lopez said that there were strong concerns in the community since they did not have an opportunity to be involved. She then said that there had been meeting with the School Building Committee that had to be kept confidential because of issues with G.E. The Board of Education narrowly approved this plan with a 4 to 3 vote. The community is concerned about lead and arsenic and other contaminates in the ground. The community wants to be treated with respect and most of them feel that they are not. She repeated her request that the Commission defer the application. Mr. Riley said that the Commission did not want to be caught in the middle of this issue. Ms. Lopez said that she had not heard about a remediation plan. If one is not done, she felt that the community could argue on good faith.

Mr. Tiago left the meeting at 8:06 p.m.

Another Bridgeport resident came forward to say that he had worked with asbestos for nine years and had to be tested at another site. He said that the Remington site was highly contaminated and did not want a school built on a contaminated site. He said that the students would be at risk and it was the responsibility of the community to stand up for them.

Mr. Tiago returned to the meeting at 8:12 p.m.

Mr. Tony Barr came forward and said that this issue was about respect and that the application had not been following the proper procedure or going through the proper steps. Mr. Riley said it was confusing as to whether the Board of Education had approved the application.

Another resident came forward and said that John Bagley had not been given the proper respect and the City should not make Mr. Bagley invisible. She then asked the Commission not to treat Mr. Bagley as a slave on a plantation. She said that they needed a guarantee that was written into the law.

Atty. Rizio said that he had never stated that he was the applicant. He was retained by the City Attorney's Office to represent the School Building Committee. However, the Board of Education had an issue with this.

Atty. Rizio reminded everyone that this application was for a zone change. He said that there was no information that did not conflict with the Master Plan or indicated that it was spot zoning. He said that none of the opposition objected to the zone change and assured the Commission that the project had been approved by the Board of Education. He said that there had not been an objection to the special approval. All of the objections were in relation to the contamination. Atty. Rizio said the public has the right to give input and listed a number of departments and commissions where this would be possible.

Mr. Riley closed the hearing on 379 Bond Street.

RECESS.

Mr. Riley called a recess at 8:30 p.m. The Commission reconvened at 8:37 p.m.

NEW BUSINESS.

(14-03) 2012 Boston Ave. – Petition of Cummings Enterprises, Inc – Seeking to expunge (the requested) condition #2 of an approval of a used car dealership license in an OR zone.

Atty. Diane Lord came forward and greeted the Commission. She said that she was present to represent the applicant. The Commission approved this application at the March 11, 2013 meeting with he condition that there shall not be more than four abandoned vehicles for sale on the property. Mr. Riley said that the Commission did not want to create a hardship for the owner if the customer could not pay for the work done on the vehicles. He said that he did not hear anything that changed his mind and wished to know what had changed in 11 months. Atty. Lord said that she did not think that this had been included in their application. Discussion followed.

Mr. Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Riley asked if there was anyone present who wished to speak in opposition to the application. Hearing none, Mr. Riley closed the public hearing on 2012 Boston Avenue.

(14-05) 169 Lakeview Ave. – Petition of Ryszard Iwaskiewicz – Seeking a change of zone from R-A to R-B to permit the construction of two multi-family dwellings.

Atty. Rizio came forward and said that he was present to represent Mr. Iwaskiewicz. The parcel under consideration contains two lots. The first one is 9,000 sq. ft and the second is 8,740 sq. ft. The applicant would like to construct a two family house, which would require a zone change. It needs to be consistent with the Master Plan. It is almost impossible to build a single family residence in Bridgeport. Atty. Rizio then reviewed the history of previous zone changes in the area, including James Street and Harold Avenue. He also mentioned how Section 10 of the Master Plan increased the property values in 2004-2006 in the Whiskey Hill area.

The property under consideration backs up to Bayview. The house across the street is a two family. Atty. Rizio submitted photos to the Commissioners. The applicant is not asking for variances or setbacks. He would like to construct a two family residence on each of the two lots, however R-A does not permit two family residences. Atty. Rizio reviewed the details of the site with the Commissioners.

A question was asked regarding where the driveway would be. Atty. Rizio said that the front driveway would face the street.

Mr. Riley asked if there was anyone present who wished to speak in favor of the application. He said that a letter of opposition had been submitted.

Mr. Darius Iwaskiewicz came forward and said that he was the owner's son and the builder for the project. He said that the houses had been designed with the neighbor's concerns in mind. He added that they were not absentee landlords. A petition was submitted with 14 signatures.

Ms. Latasha Marks, of Lakeview Avenue came forward and said that the construction would be next to her property. The position of the two houses places their backyard against her side property line. She also had concerns about the two car garages and other issues. She said that she did not want the zone change because it would change the whole neighborhood. This is an investment property and the tenants act differently when the landlord lives there.

She then submitted a petition against the application with 68 names, many of whom were not able to attend the meeting.

Ms. Marks said that the neighbors did not oppose the building of a new home, but they do not want a zone change simply because the next person may not be as gracious. The current project is set up as four rental units and she did not want to take that type of a chance with her family.

Mr. Steven Ferreira, of Sylvan Avenue, came forward and said that the purchased a single family home in the neighborhood. He was concerned about the fact that there were too many people trying to change the R-A Zone to R-B. He added that the NRZ was against this. One of his neighbors never claimed the letter informing her about the zone change.

Mr. Roosevelt Frank came forward to say that he lives in the neighborhood and is against the zone change. He would like his neighborhood to remain as it is.

Mr. James Keyser came forward to say that he was also against the development.

Ms. Carmine DeVilla said that she would like to on the record as being opposed to the application. She said that this will bring more traffic into the neighborhood and parking will be a problem. She asked the Commissioners to consider what they would do if it was their neighborhood.

Ms. Maria Torres, of Lakeview Avenue, came forward to say that she has lived in this neighborhood for 25 years and she was opposed to this project.

Ms. Melissa Frank came forward to say that she had attended meeting about this and she was opposed. She said that due to the setbacks and other issues, this house would be different from the others in the neighborhood.

Mr. Albert Munez came forward to say that he was against the application.

Mr. Derrick Plummer came forward to state his opposition against this application.

Ms. Lindsey Kaiser came forward and said that her father had built her house and that she opposed the zoning because it would depreciate the value of the other houses in the neighborhood.

Mr. Edgar Feliciano came forward to state his opposition to the change. He said that there were always problems when the landlord does not live in the residence.

Atty. Rizio said that his client's position was that it was consistent with the Master Plan and that the R-B change would be consistent with the neighborhood.

Mr. Riley closed the hearing on 169 Lakeview Avenue.

(14-07) 3255 Fairfield Ave. – Petition of Compound Training Systems – Seeking a special permit and a site plan review to permit the establishment of a personal training and athletic studio on the lower level of the existing mixed use building in conjunction with the proposed retail use in an OR zone.

Atty. Rizio came forward to present the application. The applicant wants to change the lower level into cross fit training. This would include group exercise. Atty. Rizio then distributed a hand out on cross fit training. The classes last one hour.

This would occupy 7,500 sq. ft. and won't be visible from the street. The upper level will sell apparel and juices. Between 6 and 9 p.m. there would be groups of 10. The personal training is done by appointment. The area will be well screened. The site is perfect for this type of use. There is plenty of parking, it will not be visible from the street and the property is well buffered.

Mr. Tiago asked if the lot could be striped for parking. Mr. Canty said that the lot is actually already striped but that he would refresh it.

Atty. Rizio said that there were no variances needed.

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

wished to speak in opposition to the application. Hearing none, Mr. Riley closed the public hearing on 3255 Fairfield Avenue.

(14-08) 1800 Commerce Dr. (aka 1782-1806 Commerce Dr.) – Petition of Lube Plus/Palisades, Inc – Seeking to expunge two conditions of approval to a petition granted by the Planning & Zoning Commission on October 28, 2013 to establish a general repairers license at the existing oil change center in an MU-LI zone.

Mr. Robert Wordell of Norwalk, Connecticut, came forward and said that he was representing the applicant, Mr. Louis Remrodon, in his request to expunge two conditions of his approval. Mr. Buckley reviewed the number of parking spaces required in the approval and said that they would like to include the spaces inside and reduce the number of spaces from 10 to 8. The second issue was the landscaping and the location and number of curb cuts. Discussion followed. Mr. Riley pointed out that the applicant had not complied with the previous requirements. Mr. Tiago said that he was most concerned with the curb cuts. Mr. Riley said that Mr. Guerrero would need to work with Mr. Wordell on the landscaping. Mr. Wordell said that these requirements would force the business to close. Mr. Riley said that if brake work was added into the services, the vehicles would be on site longer. The issues always come down to saving dollars.

**** MR. WALKER MOVED TO CONTINUE THE APPLICATION TO MARCH 31, 2014.**
**** MR. TIAGO SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY**.

(14-10) RE: 375 MAIN STREET – Petition of the Housing Authority of the City of Bridgeport d/b/a Park City Communities - Seeking a site plan review and a coastal site plan review to permit the establishment of a 78-unit mixed income housing complex in the NCVD zone and coastal area.

It was announced that this application had been deferred to March 31, 2014.

DECISION SESSION.

D-1 (13-74) 379 Bond St. (aka 1285 Boston Ave.) – Petition of the City of Bridgeport School Building Committee – Seeking a zone change from I-L to R-C (Block 1901, Lot 1) beginning at a point on the westerly side of Bond Street, S 15° 46' 27" W a distance of 52.11' from a granite monument with disc, thence the following courses and distances: S 15° 46' 27" W a distance of 1297.54' to a point; N 74° 13'33" W a distance of 277.66' to a point; N 15° 46' 27" E a distance of 42.30' to a point; N 74° 13'33" W a distance of 308.62' to a point; N 15° 46' 27" E a distance of 1255.24' to a point; S 74° 13'33" E a distance of 586.28' to a point and point of beginning. Said parcel area contains 747,668.41 sq.ft. +/- or 17.16 acres +/-, and is referenced as "topographic survey (partial) at (General Electric Company) 1285 Boston Avenue

Bridgeport, Connecticut"; a special permit, and a site plan review to permit the construction of a 155,00 sq. ft. school building and sports fields in the proposed R-C zone.

The following votes were taken on application D-1 (13-74);

ZONE CHANGE:

**** MR. TIAGO MOVED THE FOLLOWING**:

> **THE COMMISSION HEREBY APPROVES THE PROPOSED ZONE CHANGE FROM LIGHT INDUSTRIAL TO R-C; APPROVES THE SPECIAL PERMIT FOR A SCHOOL; AND APPROVES THE PROPOSED SITE PLAN TO CONSTRUCT A 155,000 SQ. FT. SCHOOL BUILDING AND SPORT FIELDS IN THE PROPOSED R-C ZONE:**
>
> **1) ZONE CHANGE: THE PROPOSED ZONE CHANGE FROM I-L TO R-C IS A SIGNIFICANT UPGRADE IN ZONE, WHICH IS CONSISTENT WITH THE MASTER PLAN AND ZONING REGULATIONS. THE SUBJECT PROPERTY WAS PREVIOUSLY AN INDUSTRIAL USE. THIS INDUSTRIAL USE HAS BEEN DISCONTINUED AND THE INDUSTRIAL BUILDING HAS BEEN REMOVED. THE SUBJECT PROPERTY IS SURROUNDED BY RESIDENTIAL ZONES. SPECIFICALLY, RESIDENTIAL B AND RESIDENTIAL C ZONES. SINCE THIS PROPERTY IS SURROUNDED BY RESIDENTIAL ZONES, THE R-C ZONE PROVIDES A TRANSITION ZONE WHICH IS MORE APPROPRIATE FOR THIS PROPERTY AND NEIGHBORHOOD.**
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> **MOREOVER, A SCHOOL HAS LONG BEEN RECOGNIZED AS A COMPATIBLE NON-RESIDENTIAL USE IN ALL RESIDENTIAL ZONES. SEC. 5-1-1 FINDS THAT "SCHOOLS SUPPORT AND GIVE VITALITY TO RESIDENTIAL LIFE."**
>
> **SEC. 5-4-1 DESIGNATED THE R-C ZONE AS A "RESIDENTIAL HIGH DENSITY (R-C) ZONE DESIGNED AND INTENDED TO PROVIDE FOR HIGH DENSITY RESIDENTIAL NEIGHBORHOODS WITH A SAFE AND VITAL RESIDENTIAL CHARACTER BY PROMOTING A MAXIMUM VARIETY OF HOUSING TYPES, INCLUDING MULTIFAMILY STRUCTURES, AND BY ALLOWING A RANGE OF NON-RESIDENTIAL USES THAT WILL, WHEN PROPERLY REGULATED, PROVIDE THE SERVICES, RECREATIONAL FACILITIES, AND OPPORTUNITIES FOR SOCIAL INTERCHANGE THAT ENHANCE RESIDENTIAL LIFE."**
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> **ADOPTION OF R-C ZONE MEANS THAT DEVELOPMENT OF SURROUNDING PROPERTIES MUST PROVIDE A BUFFER TO PROTECT HIGH SCHOOL.**

The Commission approves the proposed zone change from I-L to R-C because it conforms to the Plan of Conservation and Development and the adopted Comprehensive Master Plan. Zone Change effective date 3/3/2014.

**** MR. FEDELE SECONDED.**
**** THE MOTION PASSED WITH SIX IN FAVOR (RILEY, WALKER, TIAGO, FEDELE, FILOTEI AND RODRÍGUEZ) AND ONE ABSTENTION (MORTON**).

SPECIAL PERMIT AND SITE PLAN:
**** MR. TIAGO MOVED THE FOLLOWING:**

> **2) SPECIAL PERMIT: SECTION 14-4. TABLE 1 USE SCHEDULE – RESIDENTIAL ZONES REQUIRE A SPECIAL PERMIT FOR SCHOOLS IN ALL RESIDENTIAL ZONES. THE COMMISSION FINDS THAT THE PROPOSED NEW HIGH SCHOOL COMPLIES WITH THE TABLE 3 STANDARDS FOR RESIDENTIAL DEVELOPMENT, THE ADOPTED COMPREHENSIVE MASTER PLAN AND, THEREFORE, HEREBY APPROVES THE SPECIAL PERMIT. THE HIGH SCHOOL WILL HAVE A POSITIVE IMPACT ON THE NEIGHBORHOOD THAT WILL PROTECT VALUES OF RESIDENTIAL PROPERTIES. SITE HAS BEEN APPROVED BY SCHOOL BUILDING COMMITTEE AND BOARD OF EDUCATION.**
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> **3) SITE PLAN: SECTION 14-2-1 REQUIRES SITE PLAN REVIEW FOR COMPLIANCE WITH THE REQUIREMENTS OF THESE REGULATIONS BECAUSE THE APPLICATION INVOLVES A SPECIAL PERMIT (SEC. 14-4-1A). THE SITE PLAN REVIEW WAS CONDUCTED PURSUANT TO THE REQUIREMENTS OF SEC. 8-3(G) OF THE GENERAL STATUTES. PURSUANT TO SEC. 14-2-4, A PUBLIC HEARING WAS CONDUCTED ON FEBRUARY 25, 2014. THIS COMMISSION HEREBY APPROVES THE PROPOSED SITE PLAN.**

**** MR. FEDELE SECONDED**.
**** THE MOTION PASSED WITH SIX IN FAVOR (RILEY, WALKER, TIAGO, FEDELE, FILOTEI AND RODRÍGUEZ) AND ONE ABSTENTION (MORTON**).

CONDITIONS OF APPROVAL:

**** MR. FILOTEI MOVED THE FOLLOWING**:

> **CONDITIONS:**

A) REMEDIATION OF SITE IS CONSISTENT WITH MASTER PLAN. RETRIEVING BROWN FIELD SITES IS A PRIORITY.

B) COMMISSION REQUIRES A CERTIFICATE OF COMPLETION OF REMEDIATION AT RESIDENTIAL USE STANDARD.

C) THERE SHALL BE A REMEDIATION OVERSIGHT PANEL.

D) STATE WILL CERTIFY THAT THE PROJECT COMPLIES WITH RESIDENTIAL STANDARDS. DEEP WILL PROVIDE STEWARDSHIP OF THE ENTIRE REMEDIATION PROCESS BECAUSE DEEP REGULATES REMEDIATION PROCESS.

E) NO CERTIFICATE OF OCCUPANCY WILL BE APPROVED UNTIL DEEP HAS APPROVED CERTIFICATE OF COMPLETION TO RESIDENTIAL STANDARDS AND FILED WITH THE ZONING DEPARTMENT.

F) THERE WILL BE NO ENVIRONMENTAL IMPACT ON LONG ISLAND SOUND OR COASTAL WATERS

G) PROJECT IS SUBJECT TO APPROVAL BY FEMA.

**** MR. RODRÍGUEZ SECONDED**.
**** THE MOTION PASSED WITH SIX IN FAVOR (RILEY, WALKER, TIAGO, FEDELE, FILOTEI AND RODRÍGUEZ) AND ONE ABSTENTION (MORTON**).

The expiration date of the Special Permit approval, as required under Sec. 14-4-5 and the Coastal Site Plan Review, as required under Sec. 14-3-4 of the Zoning Regulations of the City of Bridgeport, CT has been established as March 3, 2015. Zone change is effective 3/3/14.

Atty. Schmidt pointed out that this was an elaborate process and starts with the State allocating the money, followed by City approvals, and then the City consults with the BOE. Mr. Walker said that this was the most likely explanation as to why there was a lack of communication between the School Building Committee and the BOE. Discussion followed about the possibility of having the School Building Committee met with the BOE on this issue. Mr. Rodríguez said that he had concerns about the level of disrespect shown to the Commissioners by the public. Often the statements are valid but how they are presented is disrespectful. Mr. Riley said that it might be important to limit the time the speakers are allowed to address the Commission.

(14-03) 2012 Boston Ave. – Petition of Cummings Enterprises, Inc – Seeking to expunge (the requested) condition #2 of an approval of a used car dealership license in an OR zone.

**** MR. TIAGO MOVED TO DENY APPLICATION (14-03) 2012 BOSTON AVE. – PETITION OF CUMMINGS ENTERPRISES, INC – SEEKING TO EXPUNGE (THE REQUESTED) CONDITION #2 OF AN APPROVAL OF A USED CAR DEALERSHIP LICENSE IN AN OR ZONE FOR THE FOLLOWING REASONS:**

1. **THE PETITIONER'S ATTORNEY FAILED TO SUBSTANTIATE A VALID REASON TO SUPPORT THE REQUEST TO EXPUNGE THIS CONDITION.**

2. **FURTHERMORE, THE PETITIONER HAS FAILED TO COMPLY WITH THE OTHER CONDITION OF APPROVAL REGARDING SITE DEVELOPMENT.**

**** MR. RODRÍGUEZ SECONDED**.
**** THE MOTION TO DENY PASSED UNANIMOUSLY.**

(14-05) 169 Lakeview Ave. – Petition of Ryszard Iwaskiewicz – Seeking a change of zone from R-A to R-B to permit the construction of two multi-family dwellings.

This would allow the construction of two family residences on adjoining lots in an R-A zone. Mr. Riley commented that there was significant public opposition. Mr. Guerrero pointed out that the second floor extends over the first floor, which is not allowed.

The discussion went on to cover the inconsistencies with the plan, the issues with the set backs, the fact that it was out of character for the neighborhood, spot zoning and the negative impact on the neighborhood.

**** MR. MORTON MOVED TO DENY APPLICATION (14-05) 169 LAKEVIEW AVE. – PETITION OF RYSZARD IWASKIEWICZ – SEEKING A CHANGE OF ZONE FROM R-A TO R-B TO PERMIT THE CONSTRUCTION OF TWO MULTI-FAMILY DWELLINGS FOR THE FOLLOWING REASONS**:

1. **AN APPROVAL OF THIS PLAN WOULD NOT ONLY BE SPOT ZONING, BUT WOULD PERMIT A DEVELOPMENT TO BE OUT OF CHARACTER WITH THE HOMES IN THE IMMEDIATE AREA.**

2. **THE PROJECT, AS PRESENTED, WOULD HAVE A NEGATIVE IMPACT ON THE ENTIRE NEIGHBORHOOD.**

3. **PLANS CONTRADICT THE STATED FRONT ELEVATION OF THE PROPOSED DWELLINGS**.

**** MR. RODRÍGUEZ SECONDED**.
**** THE MOTION TO DENY PASSED UNANIMOUSLY.**

(14-07) 3255 Fairfield Ave. – Petition of Compound Training Systems – Seeking a special permit and a site plan review to permit the establishment of a personal training and athletic studio on the lower level of the existing mixed use building in conjunction with the proposed retail use in an OR zone.

** **MR. RODRÍGUEZ MOVED TO APPROVE APPLICATION (14-07) 3255 FAIRFIELD AVE. – PETITION OF COMPOUND TRAINING SYSTEMS – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A PERSONAL TRAINING AND ATHLETIC STUDIO ON THE LOWER LEVEL OF THE EXISTING MIXED USE BUILDING IN CONJUNCTION WITH THE PROPOSED RETAIL USE IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

1. **THE APPLICANT IS TO SUBMIT PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT FOR THE PROPOSED TRAINING ROOM.**

2. **ALL TENANTS OF THE BUILDING SHALL SUBMIT APPLICATIONS AND BASIC FLOOR PLANS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE PRIOR TO THE RELEASE OF A CERTIFICATE OF OCCUPANCY FOR THE TRAINING AREA.**

FOR THE FOLLOWING REASONS:

1. **THE PROJECT, AS PRESENTED, COMPLIES WITH THE MASTER PLAN OF CONSERVATION AND DEVELOPMENT.**

2. **A FACILITY OFFERING NUTRITIONAL SUPPLEMENTS AND A RELATED TRAINING FACILITY WILL BE A BENEFIT TO THE BLACK ROCK CORRIDOR.**

3. **RETAIL OUTLETS ARE ENCOURAGED IN THE OFFICE RETAIL ZONE AND WILL LESSEN THE NONCONFORMING LIGHT INDUSTRIAL USE OF THE SUBJECT PREMISES.**

**** MR. MORTON SECONDED**.

**** THE MOTION PASSED UNANIMOUSLY**.

The expiration date of the Special Permit approval, as required under Sec. 14-4-5 of the Zoning Regulations of the City of Bridgeport, CT has been established as March 3, 2015.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD.

There were no items to consider at this time.

MINUTES.

There were no minutes to approve at this time.

ADJOURNMENT.

**** MR. FEDELE MOVED TO ADJOURN.**
**** MR. MORTON SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY**.

The meeting adjourned at 10:15 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services