

**CITY OF BRIDGEPORT  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
MARCH 7, 2016**

**ATTENDANCE:** Melville T. Riley, Chair; Bob Filotei; Carlos Moreno; Reggie Walker; Anne Pappas-Phillips; Tom Fedele

**STAFF:** Dennis Buckley, Zoning Official; Atty. Ed Schmidt, Assistant City Attorney, Diego Guevara, Design Review Coordinator

**CALL TO ORDER**

The Chair called the meeting to order at 6:40 PM. A quorum was present.

**APPROVAL OF MINUTES**

**Minutes of November 30, 2015 (present Commissioners Riley, Filotei, Rodriguez, Moreno, Morton, Pappas Phillips and Fedele)**

**\*\* COMMISSIONER fedele MOVED TO ++ THE MINUTES OF NOVEMBER 30, 2015**

**\*\* COMMISSIONER PAPPAS PHILLIPS SECONDED THE MOTION.**

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

**Minutes of January 25, 2016 (present Commissioners Riley, Filotei, Rodriguez, Moreno, Morton, Pappas Phillips, Walker)**

**\*\* COMMISSIONER WALKER MOVED TO APPROVE THE MINUTES OF JANUARY 25, 2016**

**\*\* COMMISSIONER PAPPAS PHILLIPS SECONDED THE MOTION.**

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

**OTHER BUSINESS**

Mr. Buckley stated that the new fee schedule was taken to the individual in Finance who has taken over Mr. Sherwood's former position. He stated that all of the changes are increases, and have been enacted at the Administration's directive.

Commissioner Pappas-Phillips asked what would happen if the cost of the publication was passed onto the applicant. Mr. Buckley stated that the rates would have to be boosted higher. Commissioner Pappas-Phillips asked if there was some way to prorate the fees, and Mr. Buckley stated that this would be difficult to compute, as some ads are larger than others.

Commissioner Walker asked how their fee schedule compares to that of the other towns. Mr. Buckley stated that they haven't compared their rates with other towns, and thus far have just used the rationale of Mr. Shaw.

Mr. Buckley stated that they will start charging for the numerous re-inspections.

**\*\* COMMISSIONER PAPPAS-PHILLIPS MOVED TO APPROVE THE NEW FEE SCHEDULE FOR PLANNING AND ZONING APPLICANTS.**

**\*\* COMMISSIONER MORENO SECONDED THE MOTION.**

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

### **PUBLIC HEARING**

The Chair called the Public Hearing to order at 6:45 PM

Atty. Chris Russo came forward and asked for a deferral on the following items, as Atty. Rizio is unable to attend:

**(16-09) 168 Union Ave. & 119 Carroll Ave. – Petition of 119 Carroll Avenue, LLC – Seeking a site plan review and a coastal site plan review to legalize the warehousing and storage of household items in the existing industrial building in an R-C zone and coastal area.**

**(16-11) 3030 Park Ave. – Petition of Watermark 3030 Park, LLC – Seeking a special permit and site plan review to permit the expansion of the existing residential building to now include a 9-story, 39-unit addition, as well as permitting the construction of four (4) side-by-side 2-family dwellings at the existing senior facility in an R-C zone.**

**(16-12) 1862-1864 North Ave. – Petition of Miguel Ulloa – Seeking a site plan review to legalize a 3-floor residential use in a 2-family dwelling in an R-B zone.**

The Chair informed the public that a full board has 9 members, and that they currently have 6 seated. He stated that this puts anyone at a disadvantage coming before them, as for regular items they would need a 5 out of 9 approval rate. He stated that applicants are within their rights to defer until such time as a full board is seated.

Atty. Charles Willinger came forward and asked to defer the following item:

**D-1 (16-03) Text Amendment – Petition of Willinger, Willinger & Bucci, P.C. – Seeking to amend Section 12-10a and Section 12-10b of the Zoning Regulations of the City of Bridgeport to require a special permit and the reduction of the 1500 foot distance requirement for proposed package stores from houses of worship, schools, hospitals and commercial daycare centers and include text regarding grocery beer permits to Section 12-10b. Also, seeking to clarify that Sec.12-10 only apply to properties within the territorial limits of the City of Bridgeport.**

Atty. Willinger stated that they may have a scheduling issue with the next hearing, but they will inform the commission if such an issue arises. He further stated that they will waive all statutory time requirements related to the item.

The representative for MCHAK, LLC came forward and asked to defer the following item:

**(16-14) 150 & 154 Clinton Ave. – Petition of MCHAK, LLC – Seeking a zone change from R-C to MU-LI to permit the construction of a 2-story 1,280 sq. ft. warehouse building with two off-street parking spaces.**

The Chair advised the representative that, should they be unable to attend the following hearing, someone would need to attend and ask for a deferment, and additionally waive the statutory requirements.

### CITY BUSINESS

**(16-07) 8-24 Referral – Petition of the Office of Planning & Economic Development (OPED) –Requesting under Sec. 8-24 of the Connecticut General Statute, a favorable recommendation to the Common Council of the City of Bridgeport for the disposition of vacant land located at 77 Johnson St. in an R-C zone.**

Max Perez, OPED, came forward to present on the item. He stated that they intend to sell 77 Johnson Street, which is a lot consisting of .07 of an acre. He stated that the commission was

provided with a profile sheet, and there should be no changes involving zoning regarding this land.

Commissioner Pappas-Phillips asked if the property is a vacant lot with houses on either side, and Mr. Perez answered in the affirmative. He further stated that the property will likely be sold to the abutter.

The Chair asked if anyone would like to speak in favor of the application. No one came forward. He then asked if anyone would like to speak in opposition. Hearing none, he closed the hearing on 77 Johnson Street.

### **DEFERRED BUSINESS**

**D-2 (16-04) 44 River St. – Petition of Dattco, Inc – Seeking a site plan review and a coastal site plan review to permit the construction of a 15’ x 40’ concrete slab and the placement of a 6,000 gallon diesel fuel tank in the existing bus garage and repair facility in an I-L zone and coastal area.**

Atty. Tom Regan came forward to speak on the item. He stated that this item was continued from the January P&Z meeting, as they were still waiting on the comments from Mr. Gaucher at the time. He stated that they received the letter from Mr. Gaucher on February 11th, and received no comments.

Commissioner Pappas-Phillips read the letter into the record, time-stamped at 8:37 AM on February 11th, which stated the application had been reviewed and there were no comments for the commission’s consideration.

The Chair closed the matter regarding 44 River Street.

### **NEW BUSINESS**

**(16-08) 1380 Seaview Ave. – Petition of Mia’s Motors, LLC – Seeking to grant under Sec. 14-54 of the CT General Statutes an amended Certificate of Approval of Location for a Used Car Dealership license under new ownership in an R-C zone.**

Cecilia Guerrero came forward and turned in the appropriate mailings. Mr. Buckley stated that Commissioner Pappas-Phillips had asked that the applicant come in to speak on the item, as it had previously been on the consent agenda last month.

Commissioner Pappas-Phillips asked how many cars Ms. Guerrero intends to display, and Ms. Guerrero stated that they currently display 8. Commissioner Pappas-Phillips informed her that they have permission to display only 8 cars, and Ms. Guerrero stated that they are amenable to displaying 8.

Commissioner Pappas-Phillips asked where the cars originate from, and Ms. Guerrero stated that they pick them up from auction.

Commissioner Pappas-Phillips asked if there are any classic or vintage cars displayed, and Ms. Guerrero answered in the negative.

Commissioner Pappas-Phillips asked about parking, and Ms. Guerrero stated that there is off-street parking, with a portion sectioned off for customers.

Commissioner Pappas-Phillips asked if there are any cars inside the building, and Ms. Guerrero stated that all of the cars are outside the building, and that the inside is exclusively for repairs.

Commissioner Filotei asked if there are prices on the windows, and Ms. Guerrero answered that some do have prices on the windows.

Mr. Buckley stated that this is a working car lot, and that this is just a new owner. He stated that there is no indication that the use has changed, merely that the property has changed hands.

The Chair asked if anyone wished to speak in favor of the application. No one came forward. He then asked if anyone wished to speak in opposition. Hearing none, he closed the hearing on 1380 Seaview Avenue.

**(16-13) 211 Granfield Ave. – Petition of Habitat for Humanity of Coastal Fairfield County – Seeking a subdivision of the existing 22,300 sq. ft. lot into four (4) nonconforming residential lots in an R-C zone.**

Kevin Moore, Director of Construction for Habitat for Humanity, came forward and turned in the appropriate mailings.

Mr. Moore stated that Habitat for Humanity has been an affordable housing builder in Bridgeport for 30 years in Bridgeport, and that they have built over 200 homes. He stated that their homeowners typically spend less than half they are spending on rent for their mortgage, and receive 0% interest loans in exchange for 30 hours of sweat equity on their homes or another Habitat home.

Mr. Moore stated, for this recently acquired property, they are proposing a subdivision to build 3 duplexes and a single family home on this parcel. Each 2 family home will be a condo association.

Commissioner Pappas-Phillips asked why each building is a separate condo association, and Mr. Moore stated that the only common elements are the exterior, which will inevitably have common area charges that cover maintenance and repairs.

The Chair asked if they would prefer the condo association agreement to the standard duplex agreement, and Mr. Moore answered in the affirmative.

Commissioner Pappas-Phillips asked about the position of the homes, and Mr. Moore stated that the buildings are offset sideways. He further stated that each has two off-street parking spaces alongside the unit, stacked excepting the single family home, whose spaces will be side by side.

Commissioner Pappas-Phillips asked about the size of each lot. Mr. Moore stated that the largest lot is 6016 square feet, and the smallest if 4649 square feet.

Commissioner Pappas-Phillips asked if Mr. Moore had a copy of the ZBA variance they were granted 2 weeks ago, and Mr. Moore answered in the affirmative.

The Chair asked why Habitat is setting the property up as condos rather than making 2-family homes, with one side intended to be owner-occupied, and the other side as a rental. Mr. Moore stated that the population they serve are generally first time home buyers, and that they feel adding the additional responsibility of landlord on top of this will decrease the likelihood of their homeowner's success.

Commissioner Walker asked if they anticipate a drainage problem, as the property slopes. Mr. Moore stated that they intend to build up the front half of the properties with retaining walls at street grade, which should curtail any drainage issues resulting from the slope.

Commissioner Pappas-Phillips asked if Mr. Moore was aware of the comments from the WPCA regarding the replacement of sewer pipe, as the existing pipe is very old. Mr. Moore stated that he was not aware of the comments, but that they always replaced the existing sewer lines. Commissioner Pappas-Phillips stated that the applicant should keep in touch with the WPCA and ensure their replacements conform with their desired standards. Mr. Moore stated that they always do so, and that they generally replace all laterals and sewer pipes in their properties. He further stated that he would be happy to make it a condition of approval.

Commissioner Filotei asked when construction should begin, and Mr. Moore stated that site work would start in 2017. Commissioner Filotei asked how many active projects they currently have, and Mr. Moore stated that they currently have 9 active projects. Commissioner Filotei asked if the housing was designated for veterans, and Mr. Moore stated that this hasn't been decided yet, but that they do have another active project that specifically caters to that demographic.

The Chair asked if anyone wished to speak in favor of the application. No one came forward. He then asked if anyone would like to speak in opposition. Hearing none, the Chair closed the hearing on 211 Granfield Avenue.

### **CONSENT AGENDA**

**OB-1 - 330 MYRTLE AVENUE – Seeking an extension of time of a special permit approval to expire 03/02/16.**

As this item is consent only, it was not discussed at the public hearing.

### **DECISION SESSION**

**(16-07) 8-24 REFERRAL – PETITION OF THE OFFICE OF PLANNING & ECONOMIC DEVELOPMENT (OPED) –REQUESTING UNDER SEC. 8-24 OF THE CONNECTICUT GENERAL STATUTE, A FAVORABLE RECOMMENDATION TO THE COMMON COUNCIL OF THE CITY OF BRIDGEPORT FOR THE DISPOSITION OF VACANT LAND LOCATED AT 77 JOHNSON ST. IN AN R-C ZONE.**

**\*\* COMMISSIONER WALKER MOVED TO FAVORABLY RECOMMEND ITEM (16-07) 8-24 REFERRAL – PETITION OF THE OFFICE OF PLANNING & ECONOMIC DEVELOPMENT (OPED) –REQUESTING UNDER SEC. 8-24 OF THE CONNECTICUT GENERAL STATUTE, A FAVORABLE RECOMMENDATION TO THE COMMON COUNCIL OF THE CITY OF BRIDGEPORT FOR THE DISPOSITION OF VACANT LAND LOCATED AT 77 JOHNSON ST. IN AN R-C ZONE TO THE CITY COMMON COUNCIL.**

**\*\* COMMISSIONER FEDELE SECONDED THE MOTION.**

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

**\*\* COMMISSIONER PAPPAS PHILLIPS MOVED TO COMBINE AND DEFER THE FOLLOWING APPLICATIONS: D-1 (16-03) TEXT AMENDMENT – PETITION OF WILLINGER, WILLINGER & BUCCI, P.C. – SEEKING TO AMEND SECTION 12-10A AND SECTION 12-10B OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT TO REQUIRE A SPECIAL PERMIT AND THE REDUCTION OF THE 1500 FOOT DISTANCE REQUIREMENT FOR PROPOSED PACKAGE STORES FROM HOUSES OF WORSHIP, SCHOOLS, HOSPITALS AND COMMERCIAL DAYCARE CENTERS AND INCLUDE TEXT REGARDING GROCERY BEER PERMITS TO SECTION 12-10B. ALSO, SEEKING TO CLARIFY THAT SEC.12-10 ONLY APPLY TO PROPERTIES WITHIN THE TERRITORIAL LIMITS OF THE CITY OF BRIDGEPORT & (16-09) 168 UNION AVE. & 119 CARROLL AVE. – PETITION OF 119 CARROLL AVENUE, LLC – SEEKING A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO LEGALIZE THE WAREHOUSING AND STORAGE OF HOUSEHOLD ITEMS IN THE EXISTING INDUSTRIAL BUILDING IN AN R-C ZONE AND COASTAL AREA & (16-11) 3030 PARK AVE. – PETITION OF WATERMARK 3030 PARK, LLC – SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO PERMIT THE EXPANSION OF THE EXISTING RESIDENTIAL BUILDING TO NOW INCLUDE A 9-STORY, 39-UNIT ADDITION, AS WELL AS PERMITTING THE CONSTRUCTION OF FOUR (4) SIDE-BY-SIDE 2-FAMILY DWELLINGS AT THE EXISTING SENIOR FACILITY IN AN R-C ZONE & (16-12) 1862-1864 NORTH AVE. – PETITION OF MIGUEL ULLOA – SEEKING A SITE PLAN REVIEW TO LEGALIZE A 3-FLOOR RESIDENTIAL USE IN A 2-FAMILY DWELLING IN AN R-B ZONE & (16-14) 150 & 154 CLINTON AVE. – PETITION OF MCHAK, LLC – SEEKING A ZONE CHANGE FROM R-C TO MU-LI TO PERMIT THE CONSTRUCTION OF A 2-STORY 1,280 SQ. FT. WAREHOUSE BUILDING WITH TWO OFF-STREET PARKING SPACES TO MARCH 28, 2016.**

**\*\* COMMISSIONER WALKER SECONDED THE MOTION.**

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

**D-2 (16-04) 44 RIVER ST. – PETITION OF DATTCO, INC – SEEKING A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 15’ X 40’ CONCRETE SLAB AND THE PLACEMENT OF A 6,000 GALLON DIESEL FUEL TANK IN THE EXISTING BUS GARAGE AND REPAIR FACILITY IN AN I-L ZONE AND COASTAL AREA.**

**\*\* COMMISSIONER MORENO MOVED TO APPROVE ITEM D-2 (16-04) 44 RIVER ST. – PETITION OF DATTCO, INC – SEEKING A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 15’ X**

**40' CONCRETE SLAB AND THE PLACEMENT OF A 6,000 GALLON DIESEL FUEL TANK IN THE EXISTING BUS GARAGE AND REPAIR FACILITY IN AN I-L ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE PROJECT AS APPROVED WILL HAVE NO UNACCEPTABLE IMPACT ON THE COASTAL AREA.**

**\*\* COMMISSIONER WALKER SECONDED THE MOTION.**

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

**The expiration date of 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 14, 2017.**

**(16-08) 1380 SEAVIEW AVE. – PETITION OF MIA’S MOTORS, LLC – SEEKING TO GRANT UNDER SEC. 14-54 OF THE CT GENERAL STATUTES AN AMENDED CERTIFICATE OF APPROVAL OF LOCATION FOR A USED CAR DEALERSHIP LICENSE UNDER NEW OWNERSHIP IN AN R-C ZONE.**

**\*\* COMMISSIONER FEDELE MOVED TO APPROVE ITEM (16-08) 1380 SEAVIEW AVE. – PETITION OF MIA’S MOTORS, LLC – SEEKING TO GRANT UNDER SEC. 14-54 OF THE CT GENERAL STATUTES AN AMENDED CERTIFICATE OF APPROVAL OF LOCATION FOR A USED CAR DEALERSHIP LICENSE UNDER NEW OWNERSHIP IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE MAXIMUM NUMBER OF VEHICLES ON DISPLAY SHALL NOT EXCEED EIGHT (8) AT ANY TIME, FOR ANY REASON.**
- 2. THE DEVELOPMENT OF THE SUBJECT PROPERTY SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND HEARD BY THE PLANNING & ZONING COMMISSION.**
- 3. THE PETITIONER IS TO SUBMIT AN APPLICATION FOR THE ISSUANCE OF A ZONING COMPLIANCE CERTIFICATE.**
- 4. ALL ZONING BOARD OF APPEALS CONDITIONS, AS WELL AS PLANNING & ZONING CONDITIONS MUST BE MET PRIOR TO THE RELEASE OF THE ZONING COMPLIANCE CERTIFICATE.**
- 5. APPLICANT SHALL COMPLY WITH MOTOR VEHICLE CONDITIONS ‘D’.**

**FOR THE FOLLOWING REASONS:**

- 1. COMPLIES WITH SECTIONS 14-2 & 14-3 OF THE ZONING REGULATIONS.**
- 2. THE IMPROVEMENTS TO THE PROPERTY WILL BE A BENEFIT TO THE NEIGHBORHOOD.**

**\*\* COMMISSIONER PAPPAS-PHILLIPS SECONDED THE MOTION.**

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

**(16-13) 211 GRANFIELD AVE. – PETITION OF HABITAT FOR HUMANITY OF COASTAL FAIRFIELD COUNTY – SEEKING A SUBDIVISION OF THE EXISTING 22,300 SQ. FT. LOT INTO FOUR (4) NON-CONFORMING RESIDENTIAL LOTS IN AN R-C ZONE.**

**\*\* COMMISSIONER PAPPAS-PHILLIPS MOVED TO APPROVE ITEM (16-13) 211 GRANFIELD AVE. – PETITION OF HABITAT FOR HUMANITY OF COASTAL FAIRFIELD COUNTY – SEEKING A SUBDIVISION OF THE EXISTING 22,300 SQ. FT. LOT INTO FOUR (4) NON-CONFORMING RESIDENTIAL LOTS IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL FILE AN A-2 SURVEY MAP OF THE NEWLY ESTABLISHED LOTS ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT.**
- 2. THE DEVELOPMENT OF THE SUBJECT PARCELS SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE COMMISSION.**

**FOR THE FOLLOWING REASONS:**

- 1. THE PROJECT AS APPROVED WILL PROVIDE NEW, OWNER-OCCUPIED HOMES IN AN OLDER SECTION OF THE CITY.**

**\*\* COMMISSIONER MORENO SECONDED THE MOTION.**

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

**OB-1 - 330 MYRTLE AVENUE – SEEKING AN EXTENSION OF TIME OF A SPECIAL PERMIT APPROVAL TO EXPIRE 03/02/16.**

**\*\* COMMISSIONER PAPPAS-PHILLIPS MOVED TO APPROVE ITEM OB-1 - 330 MYRTLE AVENUE – SEEKING AN EXTENSION OF TIME OF A SPECIAL PERMIT APPROVAL TO EXPIRE 03/02/16.**

**\*\* COMMISSIONER MORENO SECONDED THE MOTION.**

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

**The new expiration date of the special permit has been established as March 14, 2017.**

## **ADJOURNMENT**

**\*\* COMMISSIONER FEDELE MOVED TO ADJOURN.  
\*\* COMMISSIONER WALKER SECONDED THE MOTION.  
\*\* MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:21 PM.

Respectfully submitted,

Catherine Ramos  
Telesco Secretarial Services