



**CITY OF BRIDGEPORT
PLANNING AND ZONING COMMISSION
REGULAR MEETING
JANUARY 30, 2023**

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

ATTENDANCE: Mel Riley, Chairman; Robert Filotei, Secretary; Cesar Cordero, Johanna Dorgan, Kyle LaBuff, Jacqueline Martoral

STAFF: Paul Boucher, Zoning Department; Atty. Russ Liskov; Jackson Strong, Design Coordinator

CALL TO ORDER

Commissioner Riley called the meeting to order at 6:30 p.m. He then introduced the Commissioners seated. A quorum was present.

Commissioner Riley announced that the following two applications had been deferred to the February 27, 2023 meeting:

(#8) 206 & 222 Huntington Tpk. – Petition of YTD Enterprises, LLC – Seeking a zone change from the N2 zone to the NX4 zone beginning at a point (**222 Huntington Turnpike**) along the Southerly line of Huntington Turnpike, said point being the intersection of Huntington Turnpike and land of n/f United States of America, said point being S 214° 3’ 20” W of the intersection of Huntington Turnpike and Knoll Place; Thence S 135 ° 2’ 9” E a distance of 150’ along land of n/f United States of America; Thence S 219° 3’ 23” W a distance of 150’ along land n/f United Sates of America; Thence N 309° 5’ 5.4” W a distance of 150’ along n/f Verna M. Muller, Thence N 37° 0’ 22.2” E a distance of 150’ along the Southerly line of Huntington Turnpike to the point and place of beginning. (**request to be deferred to February 27, 2023**)

(#9) 2600 Madison Ave. – Petition of SIMCOVE, LLC – Seeking a special permit and a site plan review to allow a self-storage facility in the previous retail supermarket building in the MX2 zone. (**request to be deferred to February 27, 2023**)

CONTINUED BUSINESS

C-1 19 Infield St. – Petition of Pro Tech Home, LLC – Seeking a special permit and a site plan review to construct a 2-family dwelling in the N2 zone.

The applicant, Marcella Marcedo, came forward and stated that Mr. Tiago Silva was presented with her. She then reviewed the Bridgeport Zoning requirements for her project and assured the Commissioners that the project met those requirements.

Mr. Jackson Strong, the Design Coordinator, informed the Commissioners that he did not have any recommendations at this time.

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

Commissioner Riley asked if there was anyone present who wished to speak in opposition to the application. Hearing none, Commissioner Riley closed the public hearing on 19 Infield Street.

NEW BUSINESS

At this time, the Commission chose to hear Agenda Item #3, the proposed Text Amendment to the Zoning Regulations.

(#3) Text Amendment – Petition of Bridgeport Planning & Zoning Commission - Seeking to amend Sec. 4.40.12 B. & C. of the Zoning regulations regarding “Cannabis Sales and Growing” by increasing the number of protected uses from one (1) use to nine(9) uses.

Mr. Strong came towards and said that he had reviewed the submitted text amendment. He stated that this would increase the number of areas that cannabis sales would be prohibited. Currently, schools are the only prohibited uses, but this proposal would include playgrounds, libraries and day care facilities, recreational facilities, liquor stores and a number of other uses as outlined in the proposed amendment. It will not change the fact that any application involving cannabis must still go before the Planning and Zoning for a Certificate of Location.

He noted that there were some terms such as "recreational facility" and certified maps were not clearly defined. There is nothing in Plan Bridgeport that speaks directly to cannabis sales.

Mr. Strong then spoke about a conflict between the Comprehensive Plan and the proposed amendment.

Commissioner Riley asked for clarification on the differences between the current cannabis regulations and the liquor. He then listed the items where the liquor was prohibited and the areas that were identified as sensitive areas for cannabis.

Commissioner Filotei asked why this was not considered before. Mr. Strong explained that he did not know because he was not an employee when this was discussed previously.

Mr. Strong then displayed two maps on the screen indicating where the cannabis retail sales would be allowed.

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

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

Mr. Andrew Allen came forward to speak against the additional restrictions. He said that he thought the cannabis sales should be subject to the same restrictions as the liquor sales.

Council Member Matthew McCarthy came forward and said that he thought the text amendment was a way to limit the number of dispensaries in the City. He suggested that they look at putting a cap on the number of dispensaries rather than limiting the areas where the facilities could be located.

Ms. Judy Gueva came forward and said that she was in favor of the amendment because she was concerned about the location of the dispensaries.

Mr. Bill Coleman, the OPED Deputy Director came forward and said that he wanted to speak to the chronology of the actions and to support Plan Bridgeport.

Mr. Coleman said that in November of 2021, the Commission decided to approve Plan Bridgeport and explained that they had discussed the location of the dispensaries. The Commission had later amended the locations, which became effective in January of 2022. He said that they had discussed locating the dispensaries only in industrial areas. The issue of the buffers was considered and a ruling was approved to increase the buffer to 750 feet from schools. He noted that cannabis was a legal drug that could be prescribed by a doctor.

Mr. Coleman said that he did not see an immediate risk to the public and added that the industry was merely trying to come into the City. This is a revenue stream for the City.

Commissioner Riley asked Mr. Coleman why he would be opposed to having the same regulations to cannabis as liquor. He pointed out that once it becomes recreational, it is regarded as an intoxicating substance.

Mr. Coleman explained that the liquor industry has a much lower level regulation. The State regulations are much more strident for cannabis than for the liquor industry.

Commissioner Filotei asked if Mr. Coleman would have a problem having a growing facility near a library, recreational facility, a day care facility, or a hospital. Mr. Coleman replied that

the regulations have been set up in a way so that the Commission maintains control and discretion.

Commissioner Filotei pointed out that the two facilities that had already been before the Commission were expected to generate \$10 million in revenue for the City, which is distinctly different from a liquor store.

Mr. Jonathan Delgado, OPED staff member, came forward and said that they would be reviewing these facilities in the same manner as they would a brewery. He spoke about the change of the buffer zone from 500 feet to 750 feet. He added that the State regulations would be monitoring. He said that the Department wants to be responsive to the various needs of the community.

Commissioner Riley asked again if there was anyone present who wished to speak in opposition to the application. Hearing none, Commissioner Riley closed the Public Hearing on the proposed Text Amendment to Sec. 4.40.12 B. & C. of the Zoning regulations regarding “Cannabis Sales and Growing” by increasing the number of protected uses from one (1) use to nine(9) uses.

(#1) 2000 Commerce Dr. (aka 15 Dewey St.) – Petition of 1201 Bridgeport Properties, LLC – Seeking a certificate of location approval for a hybrid medical and retail cannabis facility of approximately 23,000-sq. ft. in the existing building in the CX zone.

Commissioner LaBuff recused himself at 7:14 p.m.

Atty. Charles Willinger, of Willinger, Willinger and Bucci, came forward and stated that he represents the petitioner. An aerial view of the property was displayed on the screen. The applicant is applying for a certificate of location approval.

Atty. Willinger said that the cannabis sales were a permitted use in the CX zone. He said that the petitioner had been present on November 1, 2022 meeting and that there was a fundamental misunderstanding of how the business would be operating.

On the Tax Assessor's records, the building is listed as 15 Dewey Street. There is only one tenant that is actually located on Dewey Street and the remaining tenants operate from Commerce street. Following the Public Hearing, there were meetings with Council Member Burns, the City wide NRZ and the local NRZ, the pastor of the church and other elected officials. He said that Ms. Parson and one other person did not meet with the group.

The Commission denied the application because of the community resistance. The Zoning Official then added three more reasons for denying the application.

Atty. Willinger said that there was a difference between the regional application and the one that was being presented to the Commission. The current application involve 24,000 square feet. The retail space will remain at just over 4,000 square feet. The remaining additional space will be rented to insure that there would not be any traffic issues or the future tenant would not be problematic for the business.

Atty. Willinger said that the operator had paid \$500,000 for the license and that Mr. Coleman had not been exaggerating when he said that the business was highly regulated. The pharmacist has been running a facility in New Haven and there have been no incidents at that facility since it opened.

Atty. Willinger then displayed the site plans and floor plans for the Commission to review. He said that the State will be requiring weekly reports on the amount of sales and inventory.

There is a total of 84 parking spaces on site. There are 55 overflow spaces across the street, which brings the total number of parking spaces to 139 spaces. The Institute of Traffic Management recommends 44 parking spaces.

He then reviewed the operational requirements including the presence of a licensed pharmacist on the premise during all operating hours. Most of the orders will be submitted online and the average customer time in the store will be about 5 minutes. the product arrives at the store in sealed packages and cannot be opened in the store.

There have been concerns about the number of crimes increasing in the area. There will be security cameras in the facility and the delivery vans that have two State approved drivers for security purposes. There will be approximately 25 state vetted employees. Bridgeport residents will have the opportunities to apply for employment.

Atty. Willinger said that the first reason for denial was that the Community did not want it. He pointed out that there was no City Council Member, State Representative or an NRZ official present to opposed the application. He said that his first exhibit was a petition that was signed by 281 Bridgeport residents supporting the application.

The second reason for the denial was that it was not consistent with the Dewey Street neighborhood. Atty. Willinger then distributed a map showing the various zoning districts in the neighborhood. He then summarized the various zones and said that it was consistent with the character of the area.

Atty. Willinger then distributed a map showing the location of the entrance and exit ramps for Interstate 95. Most of the traffic will not involve Dewey Street at all. The focus of the business will center on Commerce Street.

The location is a high traffic area and this was another reason for denial. Atty. Willinger then distributed copies of a Traffic Impact Study by Dynamic Traffic, which was dated January 30, 2023 and a map showing a simulation. There is a traffic signal at that location which controls the traffic flow. He went on to speak about the issues involving traffic congestion and the level of service. He said that Levels A, B & C are excellent levels of service.

Mr. Chase, from Dynamic Traffic, came forward and said that he was present to discuss the traffic study. Traffic counts were done on Dewey Street. These counts focus on the evening peak hours at the intersection. He noted that the level of services were listed on page 3 of the study. He noted that the level of service at this intersection was Level B, which list listed on page 6.

Mr. Chase went on to give an overview of the details included in the Traffic Study. Atty. Willinger then noted that page 7 contains a Traffic Management Plan. Page 8 contains the findings of the study.

Atty. Willinger then distributed copies of Section 11.120.2.A2 of the Zoning Regulations regarding the Certificate of Location approval. He stated that the application complies with the Master Plan. He noted that the neighbors had been concerned about security and assured the Commission that it would be much more secure than the building currently is. There will also be landscaping. He said that they were not technically adjacent to the NX zone.

Atty. Willinger then. Reminded the Commissioners that Mr. Benedict had been at the last meeting and had presented a lengthy and exhaustive report on the existing facilities. His conclusion was that the cannabis dispensaries did not have any effect on the neighboring properties at all.

He then addressed the requirement that the location of the business would not be disruptive to the neighborhood.

Atty. Willinger then distributed copies of a Connecticut Post article published on January 11, 2023, the day after the recreational cannabis was available for retail sales. He noted that the sales at the New Haven store did not substantial increase on opening day. Five years ago, Massachusetts allowed retail sales. Recreational sales are now allowed in New Jersey and Rhode Island. 20% of gross sales are taxed and Bridgeport will receive 3% of that amount.

Atty. Willinger then pointed out that the third to last paragraph of the article addressed the social equitable market and to address groups disproportionately affected by the past prohibitions.

Commissioner Filotei asked about the portion of the building that the church occupied. Atty. Willinger said that the church had lost their lease but that the applicant would like the church to remain on site. Goodwill uses another portion of the building for storage.

Commissioner Filotei asked what the benefits of having the I-95 ramps so close to the facility. Atty. Willinger said that customers coming in from neighboring towns would not have a problem accessing the facility.

Commissioner Filotei said that the traffic build up is at the intersection Commerce Drive and Fairfield Avenue.

Commissioner Martoral said that one of the issues last time was the parking space in front of the building and having customers backing out into traffic.

Atty. Willinger said that at the previous meeting, Mr. Strong had recommended that they remove three or four spaces but the remaining spaces were compliant. Atty. Willinger indicated on the site plan where the walkway was for customers could be created in front of the parking spaces.

Mr. Strong came forward and said that the previous application had utilized the entire space. The building is pre-existing, non-conforming and a portion of the building encroach on the public right of way. However, this application is for a use, not a change of the building.

He noted that since they were not renting the entire facility, the applicant could encroach on the rights of the other tenants in the building. Mr. Strong said that he would like to have all the of the parking removed from the front of the building because the parking encroaches on the public right of way. He would prefer to have the sidewalk extended along the frontage of the building.

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

Mr. Allen came forward to speak in favor of the application and said that many of the concerns were premature. He added that there were at least 3 bodegas within easy walking distance of the facility and there have been no problems with them.

Dr. Wells that said this was a medical facility first and foremost. He said that the applicant's legal team had reached out to him. From a health care perspective, the implementation of the recreational aspect will help.

Rev. R. Sherman, the pastor of the Church of Christ at 50 Dewey Street. came forward and said he was here to represent his congregation. He said that his church was the only tenant in the building. He said that he did not have an issue as long as the church was not going to be evicted from the building. He sells hope and salvation to the Community.

Mr. Regan of 3456 Madison Avenue came forward and said that he had lived in Bridgeport for over 20 years. He said that he works with taking care of the homeless and works on literacy for his community. The City is in pain and there are people coming into the City from other

locations. An opportunity like this will help with revitalization and provide jobs for the community. There are concerns about having a dispensary that makes something available that had torn apart communities. However, there are people in jail right now that were arrested for having cannabis. It's now legal and should be available. Cannabis was there when the War on Cocaine was underway. Doctors don't recommend alcohol for pain, but they do prescribe cannabis.

RECESS

Commissioner Riley announced a recess at 8:32 p.m. He reconvened the meeting at 8:45 p.m.

Mr. Ray Patalina, who is a Registered pharmacist, said that he operates the store in New Haven and that there were two police cars and a police supervisor on site on opening day. However, after the opening day, they no longer needed the police to be on site. The conversion to retail has been smooth and they are hiring new employees from the neighborhood. They made a difference in the neighborhood when they tightened up the security. This existing building has been on site for a long time and he did not expect there would be any negative effects.

Mr. Curt Westoff came forward to speak in favor of the application. He said that at the previous meeting, he had spoken against the application and falsely accused Atty. Willinger. This was a result of a miscommunication and he apologized to the Commissioners and Atty. Willinger for this mistake.

Mr. Westoff said he lives on the West Side of Bridgeport, with his wife and infant daughter. He's seen a lot during his 23 years on the West Side, including the loss of friends and other sad incidents. His mother lives on the West Side and his church is currently on the property under consideration.

Mr. Westoff said that Affinity has committed to sponsor the neighborhood clean ups. However, there will be those who will speak against the application. Those against the application will not offer employment at \$19 an hour. He said that having Affinity Health and Wellness on the property will make the property safer. Currently, they can't have Bible studies at night because of sketchy characters on the property and there are often empty liquor bottles left in the parking. He said that he was concerned that someday, they would hear about the building in the news. This company has promised lighting and security for the property.

Affinity Health and Wellness will help the community because there are people who use cannabis whether others like it or not. It will also help the clients because they will be safe from contaminated cannabis. There is small group of people who are led by someone who has political ambition who are against this. The Commissioners should not be convinced that something is wrong when it could be a benefit to the community. The decision should not be based on fear but on opportunity.

Ms. Eva Parsons came forward and said that her two brothers in Jamaica were Rastafarians. She said that she was opposed to the application. This is the second application by the same group on the same property and this business was denied by the Commission the first time.

She said that the Department was required to notify all the property owners within 100 feet before the application was submitted and this was not done. She said that they had more than 50 signatures on a petition against this application. She said that they would like the applicant to consider a different location. Several property owners stated that they were not notified of this hearing. She said that the petitioner had not presented the green mailing receipts.

Ms. Parsons said that they were required to provide a traffic study and they could never provide a study that would change the traffic congestion. This is a danger zone for the families and children. She said that there should be a plan developed for the traffic control and there is no traffic control plan. This will be a danger for the families and children in the neighborhood. She quoted Matthew 19:40, which is a warning about endangering children. The main concern seems to be about revenue rather than the children.

She said that the proposed use will cause an adverse impact. She demanded that the Commission reject the application and her group stands united to make sure this proposal does not go forward. Her community says NO to this proposal. She said that her mother was murdered by her nephew and she was doing to honor her mother.

Last Sunday, her group was cleaning up the area. These people live in Black Rock or on Madison Avenue and don't live in her neighborhood. She repeated again that she was honoring her murdered mother.

Ms. Scarlett of Hancock Avenue came forward and said that she felt that medical needs should be done in a proper way. However, this will give people more opportunities to use drugs. There is a school near there along with a bus stop. She said that she believed that they could come up with a youth center for the neighborhood. She suggests that they could put up lighting and she was the mother of four. She said that she often walk past this location and would not like to have a cannabis dispensary there.

Ms. Nicole Melton came forward and said she was not anti-dispensary and understands that it may be necessary. However, the neighbors do not want it in the neighborhood. They have a methadone clinic and have been losing other businesses. She said that they were tired of being the dumping ground for undesirable business. There were people who do not live in Bridgeport that were supporting this. She questioned where the signers of the petition in favor of the application lived. They need something for the children and asked the Commission to give the neighborhood some grace. She said that she had met with Council Members Burns and McCarthy who represent the District.

Ms. Judith Bain, a resident of the West End came forward to speak against the application. There are 144,000 residents in Bridgeport and she mentioned the fact that the traffic often is over 1,000 cars an hour. She said that they have realized that the medical cannabis business will be over \$1 billion dollars along in the future. She spoke about a study that the John Jay Institute had done that showed the percentage of taxpayer money that goes for fighting crime and said that the study concluded that it was the cost of doing business. The residents fight for what they have and believe in Bridgeport. Now people from the outside are coming to Bridgeport to do business, but there is place for the children to play. The West End should not be a dumping ground.

A resident came forward and said that she had spoken in November in opposition and was against this again. She is a nurse and sees what addiction can do. She did not join the committee to say yes. She is not in support of the dispensary at this location.

A petition against the application was submitted to Commissioner Riley at this time.

Commissioner Riley asked again if there was anyone else present who wished to speak in opposition to the application. No one else came forward.

Atty. Willinger came forward said that they were leasing over half of the building and the applicant would consider a sidewalk. He pointed out that the majority of petition signers in favor outnumbered those against. He noted that several of the speakers lived at least a half a mile away from the site.

Atty. Willinger said that Ms. Parsons had claimed the applicant had not notified the nearby residents. He explained that the regulations required that the applicant notify the property owners for Special Permits and variance changes. There is no requirement to do so for a Certificate of Location.

Atty. Willinger said that the landlord had been intending to evict the church, but the applicant had requested that the church not be evicted and remain on site.

In closing, Atty. Willinger requested that the Commission consider the rebuttal that he had presented.

Commissioner Riley closed the public hearing for 2000 Commerce Dr. (aka 15 Dewey St.) at 9:29 p.m.

Commissioner LaBuff rejoined the meeting at 9:30 p.m.

(#2) 1650 Reservoir Ave. – Petition of Luis Fabian – Seeking a special permit and a site plan review to allow a 2-family dwelling in the N2 zone.

Mr. Winston McKensie came forward and said that he was present to represent Mr. Fabian. He submitted the green mailing cards and said that the property was vacant. They would like to construct a two family house on the site. The site currently is used for parking. A street view of the current property was displayed on screen.

Mr. Strong came forward and said that the application meets the criteria for the special permit.

Mr. McKensie confirmed that his application was consistent with the criteria.

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

Commissioner Riley asked if there was anyone present who wished to speak in opposition to the application. Hearing none, Commissioner Riley closed the public hearing on 1650 Reservoir Avenue.

(#4) 1715-1717 Barnum Ave. – Petition of Jose Alberto Morel – Seeking a certificate of location approval to expand the existing café liquor use into the adjoining vacant space at 1717 Barnum Avenue in the MX1 zone.

Atty. Joseph Coppola came forward and submitted the green mailing cards. He said his client would like to expand his business in to the neighboring lot, which has been vacant for over a year. They have been in contact with the adjourning property owner

Commissioner Riley asked what type of entertainment would be used. Atty. Coppola said that it would basically be the same type that is already permitted at the location.

Atty. Coppola then reviewed the guidelines with the Commissioners.

Mr. Jose Morel, the owner, came forward and said that he had a photo on his phone to show where the wall was located.

Mr. Strong came forward and said that the business was expanding and that they would need to check their liquor license.

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

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

Mr. Larry Comler, the Vice President of Mill Hill NRZ, came forward and said that the business has been a problem for the neighborhood in terms of littering and fights. He said that the Mill Hill NRZ is opposed to the expansion.

Mr. Ralph Ford came forward and said he was a member of the Mill Hill NRZ and was present to speak against the expansion. There's never been enough parking in the area. There are other multiple issues such as trucks parking on Barnum Avenue. Most of the houses don't have off street parking. This is just expanding the bar.

Atty. Coppola said that they have had police officers on site and there was only one liquor violation in the past.

Mr. Morel came forward and said he could have a restaurant on site, but doesn't want to have a full restaurant.

(#5) 1649 Main St. – Petition of Joao Barros – Seeking a certificate of location approval for beer and wine table service in the proposed restaurant/café in the MX1 zone.

Mr. Barros came forward and submitted the green mailing slips. He said that his restaurant would like to start serving beer and wine.

Mr. Boucher said that currently the restaurant is basically a take-out restaurant and he would like to have grocery beer and wine. Mr. Barros said that the café currently has six tables.

Mr. Strong had no comments.

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

Commissioner Riley asked if there was anyone present who wished to speak in opposition to the application. Hearing none, Commissioner Riley closed the public hearing on 1649 Main Street.

(#6) 1546 & 1562 Fairfield Ave. – Petition of Friendly Homes Solution, LLC – Seeking a zone change from the RX1 zone to the RX2 zone beginning at a point (1546 Fairfield Avenue) along the Southerly line of Fairfield Avenue, said point being the West intersection of Butler Avenue and Fairfield Avenue; Thence S 219° 3' 23.4" W a distance of 157' along the Southerly line of Fairfield Avenue; Thence N 310° 5' 6" W a distance of 150' along the Westerly line of Hancock Avenue; Thence N 40° 0' 24" E a distance of 99' along n/f Peter Ruseski and Michael Beck; Thence N 310° 5' 6" W a distance of 98.12' along n/f Peter Ruseski and Michael Beck; Thence N 42° 0' 25" E a distance of 75' along n/f Pauline M. Keller; Thence S 136° 2' 9.6" E a distance of 248' along n/f Iswaldo and Carol Scarpetti,

and in part along n/f Michael Lipecz, Jr., and in part along n/f Veronica Lipecz, and in part along n/f John and Margaret Rhinda to the point and place of beginning.

The attorney representing the client came forward and submitted the green mailing receipts. He said that the property was currently zoning RX1. they are requesting a variance. He reviewed the proposed changes including expanding the second floor to develop 16 residential units. the foot print of the building would not change. There will be landscaping and a sidewalk would be installed. the amount of impervious surface will be reduced.

Mr. Strong came forward and said that regarding the zone change, it includes an addition. However, he cautioned everyone that there is no guarantee that this building would remain if the Zone change is approved. He explained that adding additional units was not considered a hardship, so the application was sent to Planning and Zoning. He added that Fairfield Avenue was considered a major corridor.

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

Commissioner Riley asked if there was anyone present who wished to speak in opposition to the application. Hearing none, Commissioner Riley closed the public hearing on 1546 & 1562 Fairfield Ave.

(#7) 439 Oakwood St. – Petition of Peace Development, LLC – Seeking a special permit and site plan review to allow for a 2-family dwelling in the N2 zone.

Ms. Marcia Mercado came forward to present her application. This is an existing single family dwelling and will raise the second floor to make it a two family. She said that the application meets all of the criteria for the special permit. She said that she owns the two neighboring lots.

Mr. Strong said that due to the changes in the zoning code, it may be zoned as a single family residence. Mr. Boucher said that the it had been an RA zone but was now an RR.

Mr. Strong came forward and that this was a pre-existing, non-conforming due to minor things. Regarding the Master Plan, it is a zoning change. The Master Plan encourages infill development for more units. It does meet the criteria.

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

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

Mr. William Vazques came forward and said that he had lived there since 1989 and chose the neighborhood because it was single family homes.

There are underground water issues because of the ledge. The driveway on Oakwood will increase the water. Mr. Vazques said that he had not received notification. He checked with the neighbors and they did not receive notification. He likes his neighborhood as a one family neighborhood. Ms. Mercado plans to build multi-families on her other two lots.

He said that his neighbor has a hole in the ground where the water drains and it is deeper than the length of a regular rake. He said that there were very few two family homes in the neighborhood.

Mr. Jose Munis came forward and said that he lives on Oakwood Street. He said that he raised his family there and felt that having a two family houses there would not be good

Ms. Mercado said that the entry faced Oakwood. She has the space and the right to build the driveway.

Commissioner Riley asked again if there was anyone else present who wished to speak in opposition to the application. Hearing none, Commissioner Riley closed the Public Hearing Session at 10:22 p.m.

DECISION SESSION

C-1 19 Infield St. – Petition of Pro Tech Home, LLC – Seeking a special permit and a site plan review to construct a 2-family dwelling in the N2 zone.

**** COMMISSIONER FILOTEI MOVED TO DENY AGENDA ITEM C-1 19 INFIELD ST. – PETITION OF PRO TECH HOME, LLC – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO CONSTRUCT A 2-FAMILY DWELLING IN THE N2 ZONE FOR THE FOLLOWING REASONS:**

- 1. SINGLE FAMILY HOMES ARE THE PREDOMINATE USE IN THE NEIGHBORHOOD AREA.**
- 2. A TWO-FAMILY HOUSE WOULD BE OUT OF CHARACTER WITH THE NEIGHBORHOOD.**
- 3. A TWO-FAMILY HOUSE WOULD NEGATIVELY IMPACT THE NEIGHBORHOOD.**
- 4. A TWO-FAMILY HOUSE WOULD REDUCE PROPERTY VALUES.**
- 5. THE APPLICATION DOES NOT MEET THE SITE PLAN REVIEW CRITERIA OF SECTIONS 11.50.6(A) (5&6) AND 11.50.6B(1).**

**** COMMISSIONER MARTORAL SECONDED.**

**** THE MOTION TO DENY AGENDA ITEM C-1 19 INFIELD ST. – PETITION OF PRO TECH HOME, LLC – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO CONSTRUCT A 2-FAMILY DWELLING IN THE N2 ZONE PASSED WITH SIX (6) IN FAVOR (RILEY, CORDERO, LABUFF, FILOTEI, MARTEL AND DORGAN) AND ONE (1) OPPOSED (MORTON).**

(#1) 2000 Commerce Dr. (aka 15 Dewey St.) – Petition of 1201 Bridgeport Properties, LLC – Seeking a certificate of location approval for a hybrid medical and retail cannabis facility of approximately 23,000-sq. ft. in the existing building in the CX zone.

**** COMMISSIONER MORTON MOVED TO APPROVE AGENDA ITEM (#1) 2000 COMMERCE DR. (AKA 15 DEWEY ST.) – PETITION OF 1201 BRIDGEPORT PROPERTIES, LLC – SEEKING A CERTIFICATE OF LOCATION APPROVAL FOR A HYBRID MEDICAL AND RETAIL CANNABIS FACILITY OF APPROXIMATELY 23,000-SQ. FT. IN THE EXISTING BUILDING IN THE CX ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. A SIDEWALK SHALL BE INSTALLED RUNNING THE LENGTH OF THE BUILDING ON COMMERCE DRIVE TO THE PARKING LOT ON THE WEST SIDE.**
- 2. IF REQUIRED, OVERFLOW PARKING WILL BE ACCOMMODATED ON ADDRESSES 20, 24, 32, 50, AND 52 EDGEWOOD STREET.**

FOR THE FOLLOWING REASON:

THE APPLICATION MEETS THE REVIEW AND APPROVAL CRITERIA OF SECTION 11.120.2(A)(2) (A THRU F) AND SECTION 4.40.12.

**** COMMISSIONER DORGAN SECONDED.**

**** THE MOTION TO APPROVE AGENDA ITEM (#1) 2000 COMMERCE DR. (AKA 15 DEWEY ST.) – PETITION OF 1201 BRIDGEPORT PROPERTIES, LLC – SEEKING A CERTIFICATE OF LOCATION APPROVAL FOR A HYBRID MEDICAL AND RETAIL CANNABIS FACILITY OF APPROXIMATELY 23,000-SQ. FT. IN THE EXISTING BUILDING IN THE CX ZONE PASSED WITH FIVE (5) IN FAVOR (RILEY, CORDERO, MORTON, MARTEL AND DORGAN), ONE (1) ABSTENTION (LABUFF) AND ONE (1) OPPOSED (FILOTEI).**

(#2) 1650 Reservoir Ave. – Petition of Luis Fabian – Seeking a special permit and a site plan review to allow a 2-family dwelling in the N2 zone.

**** COMMISSIONER CORDERO MOVED TO APPROVE AGENDA ITEM (#2) 1650 RESERVOIR AVE. – PETITION OF LUIS FABIAN – SEEKING A SPECIAL PERMIT**

AND A SITE PLAN REVIEW TO ALLOW A 2-FAMILY DWELLING IN THE N2 ZONE WITH THE FOLLOWING CONDITION:

THE HOUSE AND PROPERTY SHALL BE DEVELOPED IN ACCORDANCE WITH THE APPROVED PLANS.

FOR THE FOLLOWING REASONS:

- 1. THE APPLICATION MEETS THE SPECIAL PERMIT AND SITE PLAN REVIEW CRITERIA.**
- 2. THE APPLICATION IS IN KEEPING WITH THE MASTER PLAN OF CONSERVATION AND DEVELOPMENT.**
- 3. A TWO-FAMILY WOULD HOUSE NOT BE OUT OF CHARACTER WITH THE NEIGHBORHOOD.**

***This special permit approval, as required under Sec. 11.50.9 of the Zoning Regulations of the City of Bridgeport, CT shall expire February 6, 2024.**

**** COMMISSIONER MARTORAL SECONDED.**

**** THE MOTION TO APPROVE AGENDA ITEM (#2) 1650 RESERVOIR AVE. – PETITION OF LUIS FABIAN – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO ALLOW A 2-FAMILY DWELLING IN THE N2 ZONE PASSED UNANIMOUSLY.**

(#3) Text Amendment – Petition of Bridgeport Planning & Zoning Commission - Seeking to amend Sec. 4.40.12 B. & C. of the Zoning regulations regarding “Cannabis Sales and Growing” by increasing the number of protected uses from one (1) use to nine(9) uses.

**** COMMISSIONER MARTORAL MOVED TO DENY AGENDA ITEM (#3) TEXT AMENDMENT – PETITION OF BRIDGEPORT PLANNING & ZONING COMMISSION - SEEKING TO AMEND SEC. 4.40.12 B. & C. OF THE ZONING REGULATIONS REGARDING “CANNABIS SALES AND GROWING” BY INCREASING THE NUMBER OF PROTECTED USES FROM ONE (1) USE TO NINE(9) USES.**

**** COMMISSIONER DORGAN SECONDED.**

**** THE MOTION TO DENY AGENDA ITEM (#3) TEXT AMENDMENT – PETITION OF BRIDGEPORT PLANNING & ZONING COMMISSION - SEEKING TO AMEND SEC. 4.40.12 B. & C. OF THE ZONING REGULATIONS REGARDING “CANNABIS SALES AND GROWING” BY INCREASING THE NUMBER OF PROTECTED USES FROM ONE (1) USE TO NINE(9) USES PASSED WITH FIVE (5) IN FAVOR (RILEY, CORDERO, MORTON, MARTEL AND DORGAN), ONE (1) ABSTENTION (LABUFF), AND ONE (1) OPPOSED (FILOTEI).**

(#4) 1715-1717 Barnum Ave. – Petition of Jose Alberto Morel – Seeking a certificate of location approval to expand the existing café liquor use into the adjoining vacant space at 1717 Barnum Avenue in the MX1 zone.

**** COMMISSIONER CORDERO MOVED TO APPROVE AGENDA ITEM (#4) 1715-1717 BARNUM AVE. – PETITION OF JOSE ALBERTO MOREL – SEEKING A CERTIFICATE OF LOCATION APPROVAL TO EXPAND THE EXISTING CAFÉ LIQUOR USE INTO THE ADJOINING VACANT SPACE AT 1717 BARNUM AVENUE IN THE MX1 ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. INSTALL SOUNDPROOFING OF THE EXTERIOR WALLS TO REDUCE THE LIKELIHOOD OF NOISE DISTURBANCE TO THE ABUTTING PROPERTIES.**
- 2. THE DJ BOOTH WILL REMAIN IN THE TENANT SPACE OF #1715.**

FOR THE FOLLOWING REASON:

THE APPLICATION MEETS THE REVIEW AND APPROVAL CRITERIA OF SECTION 11.120.

**** COMMISSIONER LABUFF SECONDED.**

**** THE MOTION TO APPROVE AGENDA ITEM 1715 – 1717 BARNUM AVENUE – SEEKING A CERTIFICATE OF LOCATION APPROVAL TO EXPAND THE EXISTING CAFÉ LIQUOR USE INTO THE ADJOINING VACANT SPACE AT 1717 BARNUM AVENUE IN THE MX1 ZONE PASSED UNANIMOUSLY.**

(#5) 1649 Main St. – Petition of Joao Barros – Seeking a certificate of location approval for beer and wine table service in the proposed restaurant/café in the MX1 zone.

**** COMMISSIONER DORGAN MOVED TO APPROVE AGENDA ITEM (#5) 1649 MAIN ST. – PETITION OF JOAO BARROS – SEEKING A CERTIFICATE OF LOCATION APPROVAL FOR BEER AND WINE TABLE SERVICE IN THE PROPOSED RESTAURANT/CAFÉ IN THE MX1 ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE APPLICANT WILL NEED TO SUBMIT FOR A CHANGE OF USE FROM THE RETAIL TAKE-OUT FOOD SERVICE TO A RESTAURANT/CAFÉ USE.**
- 2. A “CERTIFICATE OF OCCUPANCY” FOR THE NEW USE IS REQUIRED BEFORE THE LIQUOR APPLICATION CAN BE SIGNED.**

FOR THE FOLLOWING REASONS:

City of Bridgeport
Planning and Zoning Commission
Regular Meeting
January 30, 2023

- 1. NO DETRIMENTAL IMPACT ON THE COMMERCIAL AREA.**
- 2. PROVIDES A SERVICE TO THE CLIENTELE.**

**** COMMISSIONER FILOTEI SECONDED.**

**** THE MOTION TO APPROVE AGENDA ITEM. (#5) 1649 MAIN ST. – PETITION OF JOAO BARROS – SEEKING A CERTIFICATE OF LOCATION APPROVAL FOR BEER AND WINE TABLE SERVICE IN THE PROPOSED RESTAURANT/CAFÉ IN THE MX1 ZONE PASSED UNANIMOUSLY.**

(#6) 1546 & 1562 Fairfield Ave. – Petition of Friendly Homes Solution, LLC – Seeking a zone change from the RX1 zone to the RX2 zone beginning at a point (1546 Fairfield Avenue) along the Southerly line of Fairfield Avenue, said point being the West intersection of Butler Avenue and Fairfield Avenue; Thence S 219° 3' 23.4" W a distance of 157' along the Southerly line of Fairfield Avenue; Thence N 310° 5' 6" W a distance of 150' along the Westerly line of Hancock Avenue; Thence N 40° 0' 24" E a distance of 99' along n/f Peter Ruseski and Michael Beck; Thence N 310° 5' 6" W a distance of 98.12' along n/f Peter Ruseski and Michael Beck; Thence N 42° 0' 25" E a distance of 75' along n/f Pauline M. Keller; Thence S 136° 2' 9.6" E a distance of 248' along n/f Iswaldo and Carol Scarpetti, and in part along n/f Michael Lipecz, Jr., and in part along n/f Veronica Lipecz, and in part along n/f John and Margaret Rhinda to the point and place of beginning.

**** COMMISSIONER FILOTEI MOVED TO APPROVE AGENDA ITEM (#6) 1546 & 1562 FAIRFIELD AVE. – PETITION OF FRIENDLY HOMES SOLUTION, LLC – SEEKING A ZONE CHANGE FROM THE RX1 ZONE TO THE RX2 ZONE BEGINNING AT A POINT (1546 FAIRFIELD AVENUE) ALONG THE SOUTHERLY LINE OF FAIRFIELD AVENUE, SAID POINT BEING THE WEST INTERSECTION OF BUTLER AVENUE AND FAIRFIELD AVENUE; THENCE S 219° 3' 23.4" W A DISTANCE OF 157' ALONG THE SOUTHERLY LINE OF FAIRFIELD AVENUE; THENCE N 310° 5' 6" W A DISTANCE OF 150' ALONG THE WESTERLY LINE OF HANCOCK AVENUE; THENCE N 40° 0' 24" E A DISTANCE OF 99' ALONG N/F PETER RUSESKI AND MICHAEL BECK; THENCE N 310° 5' 6" W A DISTANCE OF 98.12' ALONG N/F PETER RUSESKI AND MICHAEL BECK; THENCE N 42° 0' 25" E A DISTANCE OF 75' ALONG N/F PAULINE M. KELLER; THENCE S 136° 2' 9.6" E A DISTANCE OF 248' ALONG N/F ISWALDO AND CAROL SCARPETTI, AND IN PART ALONG N/F MICHAEL LIPECZ, JR., AND IN PART ALONG N/F VERONICA LIPECZ, AND IN PART ALONG N/F JOHN AND MARGARET RHINDA TO THE POINT AND PLACE OF BEGINNING WITH THE ZONE CHANGE EFFECTIVE AS OF FEBRUARY 6, 2023 FOR THE FOLLOWING REASONS:**

- 1. THE ZONE CHANGE IS CONSISTENT WITH THE MASTER PLAN OF CONSERVATION AND DEVELOPMENT.**
- 2. THE NEW ZONE IS CONSISTENT WITH THE ABUTTING ZONE.**

**** COMMISSIONER DORGAN SECONDED.**

**** THE MOTION TO APPROVE AGENDA ITEM (#6) 1546 & 1562 FAIRFIELD AVE. – PETITION OF FRIENDLY HOMES SOLUTION, LLC – SEEKING A ZONE CHANGE FROM THE RX1 ZONE TO THE RX2 ZONE BEGINNING AT A POINT (1546 FAIRFIELD AVENUE) ALONG THE SOUTHERLY LINE OF FAIRFIELD AVENUE, SAID POINT BEING THE WEST INTERSECTION OF BUTLER AVENUE AND FAIRFIELD AVENUE; THENCE S 219° 3' 23.4" W A DISTANCE OF 157' ALONG THE SOUTHERLY LINE OF FAIRFIELD AVENUE; THENCE N 310° 5' 6" W A DISTANCE OF 150' ALONG THE WESTERLY LINE OF HANCOCK AVENUE; THENCE N 40° 0' 24" E A DISTANCE OF 99' ALONG N/F PETER RUSESKI AND MICHAEL BECK; THENCE N 310° 5' 6" W A DISTANCE OF 98.12' ALONG N/F PETER RUSESKI AND MICHAEL BECK; THENCE N 42° 0' 25" E A DISTANCE OF 75' ALONG N/F PAULINE M. KELLER; THENCE S 136° 2' 9.6" E A DISTANCE OF 248' ALONG N/F ISWALDO AND CAROL SCARPETTI, AND IN PART ALONG N/F MICHAEL LIPECZ, JR., AND IN PART ALONG N/F VERONICA LIPECZ, AND IN PART ALONG N/F JOHN AND MARGARET RHINDA TO THE POINT AND PLACE OF BEGINNING WITH THE ZONE CHANGE EFFECTIVE AS OF FEBRUARY 6, 2023 PASSED UNANIMOUSLY.**

(#7) 439 Oakwood St. – Petition of Peace Development, LLC – Seeking a special permit and site plan review to allow for a 2-family dwelling in the N2 zone.

**** COMMISSIONER CORDERO MOVED TO DENY AGENDA ITEM (#7) 439 OAKWOOD ST. – PETITION OF PEACE DEVELOPMENT, LLC – SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO ALLOW FOR A 2-FAMILY DWELLING IN THE N2 ZONE FOR THE FOLLOWING REASONS:**

- 1. SINGLE-FAMILY HOMES ARE THE PREDOMINATE USE IN THE NEIGHBORHOOD AREA.**
- 2. A TWO-FAMILY HOUSE WOULD BE OUT OF CHARACTER WITH THE NEIGHBORHOOD.**
- 3. A TWO-FAMILY HOUSE WOULD NEGATIVELY IMPACT THE NEIGHBORHOOD.**
- 4. A TWO-FAMILY HOUSE WOULD REDUCE PROPERTY VALUES.**
- 5. THE APPLICATION DOES NOT MEET THE SITE PLAN REVIEW APPROVAL CRITERIA OF SECTION 11.50.6(A)(5&6) AND 11.50.6(B)(1).**

**** COMMISSIONER DORGAN SECONDED.**

**** THE MOTION TO APPROVE AGENDA ITEM (#7) 439 OAKWOOD ST. – PETITION OF PEACE DEVELOPMENT, LLC – SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO ALLOW FOR A 2-FAMILY DWELLING IN THE N2 ZONE**

PASSED WITH FIVE (5) IN FAVOR (CORDERO, LABUFF, FILOTEI, MARTORAL AND DORGAN) AND TWO (2) OPPOSED (RILEY AND MORTON).

#8 (FILE: 23-07) RE: 206 & 222 HUNTINGTON TURNPIKE – Seeking a zone change from the N2 zone to the NX4 zone

This item was deferred to February 27, 2023.

#9 (FILE: 23-08) RE: 2600 MADISON AVENUE – Seeking a special permit and a site plan review to allow a self-storage facility in the previous retail supermarket building in the MX2 zone.

This item was deferred to February 27, 2023.

OTHER BUSINESS

There were no additional matters to consider at this time.

CONSENT AGENDA

There were no additional matters to consider at this time.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE COMMISSION

There were no additional matters to consider at this time.

APPROVAL OF MINUTES

- **Minutes of November 28, 2022 – Present: Acting Chairman, Melville Riley. Commissioners: Cesar Cordero, Johanna Dorgan, Robert Filotei, Kyle LaBuff, Jacqueline Martoral, Carlos Cordero; PZC Clerk: Paul Boucher**

**** COMMISSIONER DORGAN MOVED THE MINUTES OF THE NOVEMBER 28, 2022 MEETING**

**** COMMISSIONER CORDERO SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 28, 2022 MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COMMISSIONER CORDERO MOVED TO ADJOURN**

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

The meeting adjourned at 10:42 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services