



PLANNING AND ZONING COMMISSION
APRIL 14, 2014
MEETING MINUTES
CITY OF BRIDGEPORT

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

ATTENDANCE: Mel Riley, Acting Chair; Anne Pappas Phillips, Acting Secretary;
Robert Morton, Tom Fedele, Bob Filotei, Joe Tiago, Edgar
Rodríguez, Reggie Walker

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 6:05 p.m. A quorum was present. Chairman Riley introduced the Commissioners seated.

D-2 (14-10) RE: 375 MAIN STREET – Petition of 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.

Atty. Steven Struder came forward and greeted the Commissioner. He said that he had provided receipts of the mailings to Mr. Buckley. He said that this was a new site plan application for the project. He said this proposal was consistent with the City's Master Plan. He then gave a brief overview of the project.

Mr. Riley asked about a letter from John Gaucher and said that there were a number of questions about the application. A brief discussion followed.

Atty. Struder then introduced the members of the project team and proceeded to present the details of the application.

A representative name Tom from the development company came forward and introduced himself. He said that his company had experience with building this type of development. He said that the company was looking forward to working on a successful development in Bridgeport. The company believes that this is a catalysis for the South End in terms of creating a model for fixed income development that would have sustainable aspects to it. Tom said that his company planned on managing the property and being involved in every aspect of the project.

Mr. Riley asked about the various percentages of income levels. Tom explained that this was still under discussion, but he believed it was likely to be that 60% of the development would be 60% of the AMI range and the remaining balance would be above that.

Ms. Pappas Phillips asked how much 60% of the AMI would be. Tom said that this would be about \$100,000 per family of four. She asked if the percentages included the 18 units that would be for sale. He replied that it would not. Ms. Pappas Phillips asked what the expected price was for the town houses. She was told that it was still to be determined, but it would be around \$350,000 on the open market. He pointed out that this would change with the market value. Tom added that the 60% of the AMI would be \$1,400 for a two bedroom unit.

Mr. Riley asked about the 18 town houses that would be sold. Tom explained that those were the only units that would be sold, and the balance would remain as rentals. Discussion followed about the details of the AMI.

Ms. Pappas Phillips said that after considering the area, this did not fit with the comparables. She said that this was intended to be part of Phase One of the rehabilitation/relocation project. She said that this did not sound like affordable housing for a low income family. She asked how they would justify the number with the economic group where they would be located. Tom replied that the finances would be going through the normal financial mechanisms and the 60% that was being used could be calculated under different capital programs that the group utilizes to bring down the number in order to make it more achievable for the residents. Ms. Pappas Phillips asked if that information was available. Tom said that the group was working on compiling the information.

Atty. Struder was pointed out that this was a mixed used proposal, not a relocation concentration effort. The goal is to mix various income levels together, along with singles, families etc. This will be done through tax exemption bonds and tax credits.

Ms. Pappas Phillips asked what the income median for the lower income range of 40% would be. He said that he was not sure exactly what that figure would be. Ms. Pappas Phillips said that she had concerns about the economic range. She said that the discrepancy between the three groups of unit owners, the renters at 60% AMI and the renters at 40% AMI to be very large. Atty. Struder said that this was being considered.

Discussion followed about the number of units that would be involved in the development. A representative came forward and said that there would be 78 units in the project. He then reviewed the various percentages of the expected allocations including the projected sale price of the town houses.

Mr. Riley asked if the intent of this project had changed since January. He was told it had not. The discussion then moved to the potential number of Marina Village residents that may be relocated to the project.

Ms. Pappas-Phillips said that she had concerns about the financial projections with 8 town houses at market rate of \$300,000, and having the 60% of the remaining 70 units with an AMI of \$100,000. She pointed out that the median income in Bridgeport was \$42,000. She was told that the numbers would change and that the architect was presenting the site plan. Ms. Pappas-Phillips said since the Commission had all these questions now, what would happen later in the process. She said that she didn't understand why the Commission would approve a site plan if it was not going to be the site of the Marina Village relocation. She asked the presenters to repeat their figures for the AMI. She repeated that the median income in Bridgeport was around \$42,000 for a family of four. The representative said yes. Ms. Pappas Phillips asked where the group was planning on finding potential clients that would have an AMI of \$100,000. It was stated that a potential resident could not go over \$100,000.

She then asked if there was a minimum. She was told that if the applicant could afford the rent regardless of their income, they would be accepted. The staff member then reviewed the pre-screening process with the Commissioners. Ms. Pappas Phillips asked what would be the medium income for a \$1,400 rental for a family of four. She said that this was still being formulated.

The discussion then moved back to the parking issues. The representatives then reviewed the site plan details with the Commissioners and indicated where the parking area and the driveway would be located.

Mr. Riley asked about for details of where the main transformer for the property would be located. The presenter indicated where it was located. Mr. Riley asked if there was any possibility of someone being hurt if they climbed on the transformer. He was told no.

Clarification about how the tax credits would be used for the project. One of the team came forward and explained how the tax credits are sold and the funds are used for the project. There are both private investors and banks who are interested in purchasing these tax credits.

Ms. Pappas Phillips asked for details on the FEMA requirements and the insurance since the project was located in the flood plain. The insurance is provided by FEMA. She asked if the tax credits would have anything to do with the adjustment on the FEMA insurance requirements. The staff reviewed the details.

Ms. Pappas Phillips said that at a previous presentation, it had been stated that there would be \$400,000 allocated for building uses. She asked where the funding would be

coming from. She said that this would cost 31.2 million dollars just to build this section. The staff reviewed the costs of the construction and the subsidies associated with it. Due to the fact that the project has to be elevated, the construction costs will be expensive.

Mr. Riley asked if the South End Neighborhood Revitalization organization was in support of the project. It was stated that they were in favor of it. The presenter indicated where the play area would be

Mr. Riley asked where the town house garages would be located. The speaker indicated where they were on the site plan and reviewed FEMA flood requirements details with the Commissioners. He was also asked how the trash would be removed. He said that there would have trash compactors and then the compacted trash would be moved out to the street for pick up. There are two elevators in the building. Discussion followed about the details of the elevators and the location of the emergency power supply.

Mr. Riley asked if there were additional questions from the Board. None were forthcoming. He then explained that he would ask for comments from those in favor of the project followed by those who opposed the project and then Atty. Struder would speak again.

Atty. Struder came forward to summarize the presentation and presented a copy of an email that he would like to submit for the record. He said that all the utilities had been approved including the sewer lines and storm water management. He went on to give a brief overview of potential funding and in-kind donations. He said that the project meets the design standards. For the South End residents, this would be a positive addition.

Mr. Riley then asked if anyone would like to speak in favor of the application.

Council Member Denese Taylor-Moye of the 131sts District came forward and said that she was also a resident of Marina Village. She said that she had been present in support of this project many times. She spoke about how this type of project had been done in other locations and it turned out well. Having this development would be a major step forward. Currently, the displaced Marina Village residents were scattered all over the City. This is something that the community looked at carefully. She listed the various businesses and churches nearby. There often is a stereo type that the residents in Marina Village are criminal, but the truth is that most of the residents have jobs and are working to raise their children. The development will help the families. She said that it would be important to change things around in the City, and this could be the start of that kind of change. She said she was pleading with the Commission to approve this project. It's time to step forward and provide decent housing for residents.

Mr. Riley said that it was very helpful to him to have the information about the other projects. He thanked her for taking the time to appear before the Commission.

Rev. Carl McCluster , the pastor of the Shiloh Baptist Church, came forward and greeted the Commissioners. He said that his church was directly across the street from this development. He said that he remembers the previous complex and noted that this had been a blighted property for the last 12 to 15 years. He added that he was the elected chair of the South End NRZ and was very engaged in the in community. He said that the South End NRZ had voted to support this project with 9 in favor, 3 against and 5 abstentions. Since then, one NRZ member had decided to support the project, which means there were 10 in favor, 3 against and 4 abstentions.

Rev. McCluster said that at the first hearing about this project, the City Attorney counted the number of residents who were present and there were 87 people in favor of the project and 19 people were present in opposition. He said that people will often make statements that may not be true in order to stop a project from going forward. He said that recently he had heard comments about the cost. However, recently a family approached him about some financial assistance to stay in their present location of 1,300 sq. ft. He said that they were paying \$1,500 a month. Their rent was based on a percentage of their income.

Rev. McCluster said that there were concerns about the transformers and potential of having children being hurt while playing outside underneath the transformer platform. He pointed out that he would not let his children out to play if a storm was coming. He said that it was not easy to find quality new construction in Bridgeport. This project represents a rebirth of the neighborhood and will serve as a catalyst for developers in the South End. He pointed out that the City Engineer, the Fire Marshal, EPA, HUD and numerous other entities have approved the project. He went on to speak about the fact that there were concerns about higher density, air pollution, and various other issues, but reminded everyone that there were already people living in the area. He said that the people in other areas had approved similar developments but there was no protest. The time has come for the South End to allow development in their neighborhood to improve the area. He urged the Commissioner to approve the project.

Mr. Andy Wood, the Bridgeport City CEO came forward to speak in favor of the project. He said that the fact that this was a partnership venture demonstrates the developers ability to attract high quality private firms to the City. This is a result of a collaborative of non-profits to provide high quality housing for the City residents with a range of incomes. The project will offer rentals and home ownership within blocks of downtown. He said that the site will be seen by thousands of commuters from the trains.

Mr. Wood spoke about the sewer/storm water separation system and how this would benefit the community. He also said that HUD had chosen this site as a demonstration community of best practice for designers from around the world. The team recommends locations like this to incorporate best practice flood mitigation coupled with the District goals as a priority. On behalf of Mayor Finch and the administration, he urged the Commission to approve this project. He said that these buildings could demonstration

that Bridgeport is moving in a positive direction to show that there are sustainable, mixed income developments possible.

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

A resident came forward and spoke in opposition to the project. He added that regarding the NRZ vote, two people voted who were not on the Board and went on to speak about the details. He also said that this project was not in accordance with the zoning laws. He went on to list a number of concerns and thanked the Commissioners for listening. He then turned in a list with 200 signatures on it.

Ms. Eva Canales came forward to address the Commission. She said that she was not present to tell the Commissioners what to do but to encourage them to think about whether or not a family could afford one of these units.

Ms. Elaine Ward, of Environmental Justice, then came forward to speak to the Commissioners. She said that she was against the project because of a number of issues that would negatively impact the community, such as the exhaust from the highway. She said that she wanted the Commissioners to consider the people who lived in the South End. While Bridgeport needs to improve the area, Bridgeport needs to also be aware of the residents' health.

Mr. Edwin Neeson then came forward to state his opposition to the project. He asked the Commission if there had been a study done regarding the traffic flow in and out of the area, particularly since it was located so close to the ball park and arena. He stated that there are often street closures because of events. He also asked what would happen if an ambulance needed to get through to someone in need during a street closure. Mr. Neeson said that a traffic flow study is done and approves the project, he felt that there would be more situations requiring ambulances in the South End and access issues.

Secondly, Mr. Neeson asked about the mixed use project with set income levels. He asked what would happen if the developer was not able to find people in the higher income level who wished to reside in the development. He said that there were people who were concerned about the mix of incomes. He said that he was not in favor of the project.

Mr. Riley asked that the speakers not repeat previously stated issues and concerns. He said that the speakers could come forward and say they agreed with the previous statements, but that the Commission was already aware of many of the concerns.

Ms. Carol Camara came forward to address the Commission. She said that she was against the project. Mr. Riley asked Ms. Camara to summarize her remarks. A document was turned in. Ms. Camara said that she had health concerns and about the environmental concerns. She said that people were getting sick from the vibrations. She

said that this project should be done somewhere else in Bridgeport where there would not be this type of environmental concerns.

Ms. Barbara Kelly came forward to speak against this project. She spoke about the property values of her home and the impact that this project would have on her home. She said that her concern was how the developer was going to maintain the facility.

Ms. Marisa Tisdale came forward to speak in opposition to the project. She said that she was the president of the Mary and Elizabeth Freeman Center for History. She said that this was directly across from the project. She then spoke about the history of the project dating back to 2013. She said that there were concerns about health and safety of the residents. She said that there had been many discussion with the Housing Authority and that the Housing Authority had requested zoning changes based on the plans. On the July 8th maps, this project lies completed in special Zone A/B.

Mr. Riley pointed out that things that happened before Janaury of 2014 were not relevant to this hearing. He said that the project already had FEMA approvals. Ms. Tisdale said that she had spoken to the State officials. The comments that were made by the official had not been clearly comprehended by the Commission.

Mr. Riley asked for more details about historic preservation. Ms. Tisdale said that the site was bordered on three sides by structures that are part of the Cottage Street historic district. She then gave more details and said that the concerns raised have to do with the mass of the building.

Ms. Tisdale said that she had a statement about the health issues and environmental issues. Mr. Riley said that the Commission had already heard three or four testimonies regarding environmental justice and issues. Ms. Tisdale said that the amount of pollution decreases by the distance from the source. She said that she had been told by the DEEP experts that it would be ridiculous to imagine that the air pollution would not be impacted by the generators in the project. She said that the studies show that the air pollution is higher nearer the highways. Having public housing near a highway was a health issue. There would be a potential increase in asthma and medical emergencies if this housing project goes forward.

She then said that there would be more appropriate sites for this project. Mr. Riley said that there were no other appropriate sites. Ms. Tisdale said the Marina Village residents would be better off on Housing Authority sites that did not have these issues.

Ms. Tisdale said that almost half of the buildings in Marina Village were not in a flood zone at all. Mr. Riley pointed out that a number of those buildings were closed because of mold and mildew issues. Ms. Tisdale said that this was a maintenance issue. She said that the Housing Authority would be better off having housing that was not in a flood zone rather than constructing housing in a flood zone.

Ms. Tisdale then distributed documents to the Commissioners and reviewed the key points outlined in the document. She expressed concerns about evacuation of disabled persons in the event of an emergency. Ms. Tisdale spoke at length about the concerns regarding the movement of residents from a non-polluted site onto a site where there are environmental concerns. She said that she would provide the Commissioners with a letter regarding this issue.

Ms. Tisdale said that this plan was flawed on several levels and should not be approved.

Ms. Lydia Silvas came forward to address the Commission and said that she was opposed to the application. She provided a hand out to the Commission regarding her concerns. (See attached).

Mr. Nate Polttiet came forward to address the Commission in opposition to the project. He said that he would like to see a project that would make sense rather than one that had so many issues as this one does.

Council Member Rick Torres came forward to address the Commissioners and stated the reasons why he was against the application. He suggested that the residents of Marina Village be allowed to purchase their own units.

Council Member Robert Halstead came forward to list his concerns about the proposal and stated that he was against the project.

Mr. Victor Aurillo then came forward to state his opposition to the project. He said that he owns the building directly across the street from the site.

Mr. Riley asked if there was anyone present who wished to speak in opposition. Hearing none, Mr. Riley closed the public portion of the hearing on 375 Main Street.

RECESS.

Mr. Riley announced a recess at 8:30 p.m. He called the hearing back to order at 8:45 p.m.

D-2 (14-10) 375 Main Street CONT'D.

Mr. Riley asked Atty. Struder to come forward for rebuttal. Atty. Struder pointed out that the application has been reviewed a number of times. The DEEP and other State agencies have also reviewed this application.

Mr. Walker asked if the Environmental Assessments had been done. Atty. Struder said the Site is fully compliant with local, state and federal requirements for a flood plain. He said that this would have a positive impact on the South End.

Atty. Struder respectfully submitted that this project was well designed, well thought out and an improvement to the City.

Mr. Filotei asked if there was a relationship with the Southwest Health Center and the project. Atty. Struder said that there was a relationship and that eventually, the Southwest Health Center would be a tenant.

Following the conclusion of Atty. Struder's remarks, Mr. Riley closed the public hearing on 375 Main Street.

D-4 (14-11) RE: 240 (aka 139) OCEAN TERRACE – Petition of the City of Bridgeport School Building Committee - Seeking a special permit, site plan review, and a coastal site plan review to permit the construction of a new state-of-the-art elementary school in an R-C zone and coastal area.

Mr. Scott Bailey and Mr. Dan Casinelli from Fletcher Thompson came forward and gave an overview of the floor plan of Longfellow School. Mr. Morton asked about the design. Mr. Casinelli said that with the new design, there would be more daylight coming into the building. It has been designed so that the building can be used by the community, also.

Ms. Pappas-Phillips asked about the different colors on the presentation boards. Mr. Casinelli said that the colors tied to the space program.

Mr. Casinelli then reviewed the exterior elevations and exterior facade drawings with Commission.

Mr. Walker asked what part of the proposed building would cover the existing park. Mr. Goven indicated what part of the building would cover the existing park when the school was constructed. He added that there would be a park constructed in the "rear" of the park.

Mr. Earl Goven, an architect, came forward and reviewed the landscaping plan with the Commission. He also reviewed the storm water plan and said that all the suggestions from the engineer had been incorporation.

Ms. Pappas-Phillips pointed out that it was in the flood zone and asked what kind of changes were being made to the design. Mr. Goven said that the building will be raised to be a foot above the flood height. It will be set on fill.

Mr. Walker asked if there were contaminants on the site. Mr. Bailey said that there had been no serious contamination on the site. Mr. Walker said that there had been concerns about waste materials in the site. Mr. Bailey said that they had not found any evidence of that.

Mr. Morton asked about the security systems included in the design. Mr. Casinelli reviewed the various systems that would be in place.

Mr. Riley asked if there was anyone present in favor of the application. No one came forward. Mr. Riley asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Riley closed the hearing on 240 Ocean Terrace.

(14-19) 710 Lindley Street – Petition of 1 Automotive Solutions, LLC - Seeking under CT General Statutes 14-54 an amended certificate of approval of location for a used car dealership license to continue the display, sale, and repair of used motor vehicles in the existing 1-story commercial building in an OR-G zone.

Atty. Rizio came forward and distributed a document on the change of ownership. Ms. Pappas-Phillips asked why it wasn't on consent agenda. Mr. Buckley explained that the business was established as an auto sales site long before there were zoning standards. Atty. Rizio said that this was an appropriate use of the parcel for the zone. He listed a number of conditions that were already being observed.

Mr. Riley asked if there was anyone present in favor of the application. No one came forward. Mr. Riley asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Riley closed the hearing on 710 Lindley Street.

Mr. Riley then announced that public hearing portion of the meeting was closed.

RECESS.

Mr. Riley declared a recess at 9:10 p.m. He called the meeting back to order at 9:20 p.m.

(14-21) 8-24 Referral – City of Bridgeport - Seeking a favorable recommendation under Sec. 8-24 of the CT General Statutes for the acquisition of 2.21 acres and commercial building abutting Central High School in an R-B zone.

**** MR. WALKER MOVED TO APPROVE A A FAVORABLE RECOMMENDATION UNDER SEC. 8-24 OF THE CT GENERAL STATUTES FOR THE ACQUISITION OF 2.21 ACRES AND COMMERCIAL BUILDING ABUTTING CENTRAL HIGH SCHOOL IN AN R-B ZONE.**

**** MS. PAPPAS-PHILLIPS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(14-22) 8-24 Referral – City of Bridgeport - Requesting under Sec. 8-24 of the CT General Statutes a favorable recommendation for the lease of city owned land at Sikorsky Memorial Airport to be used as the Connecticut Air & Space Center.

**** Mr. Morton moved to approve a favorable recommendation for the lease of city owned land at Sikorsky Memorial Airport to be used as the Connecticut Air & Space Center.**

**** Mr. Walker seconded.**

**** The motion passed Unanimously.**

D-1 (13-68) TEXT AMENDMENT – City of Bridgeport - Seeking to amend Tables 2a, & 4a of the Zoning Regulations to permit an as-of-right use for ferry passenger terminals in an MU-LI zone and coastal area.

Ms. Pappas-Phillips asked if the Commission could put special conditions on the approval. Atty. Schmidt said that there was certain conditions where the parcel would be presented as a Special Permit. The Commission can have a Site Review, but if they meet all the condition then the Commission must approve the appliaction.

**** MR. MORTON MOVED TO APPROVE THE TEXT AMENDMENT – CITY OF BRIDGEPORT - SEEKING TO AMEND TABLES 2A, & 4A OF THE ZONING REGULATIONS TO PERMIT AN AS-OF-RIGHT USE FOR FERRY PASSENGER TERMINALS IN AN MU-LI ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. PASSENGER TERMINALS SHALL BE LISTED AS A “P” IN TABLE 2A OF THE ZONING REGULATIONS**
- 2. WILL REQUIRE A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW;**

AND WITH THE EFFECTIVE DATE OF MONDAY, APRIL 21, 2014.

**** MR. TIAGO SECONDED.**

**** THE MOTION PASSED WITH SIX IN FAVOR (FIDELE, TIAGO, MORTON, FILOTEI, WALKER, RILEY AND RODRÍGUEZ) AND ONE OPPOSED (PAPPAS-PHILLIPS).**

C-1 (14-08) RE: 1800 (aka 1782-1806) COMMERCE DRIVE – 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. WALKER MOVED TO CONTINUE C-1 (14-08) RE: 1800 (AKA 1782-1806) COMMERCE DRIVE – 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 TO MONDAY, APRIL 28, 2014.

**** MR. TIAGO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(14-15) RE: 2181 MAIN STREET - D&B wellness - Seeking a special permit and site plan review to permit the establishment of a medical marijuana dispensary in the proposed holistic care clinic in the existing commercial building in an OR-G zone.

Mr. Riley asked if a marijuana dispensary was the same as a pharmacy. Atty. Schmidt said that CT State Statute 20-5-70 gives separate definitions for a pharmacy and a dispensary. He said that they are different entities, but related.

Ms. Pappas-Phillips said that a marijuana dispensary is necessary for patients who require this. A dispensary should be located within a medical facility such as a hospital. The security issue needs to be addressed. The patients are seriously ill.

Mr. Riley said that this was an OR zone and the parcel was right next to a group of private homes with children.

Mr. Rodríguez said that there building next door housed 180 residents. He also said that since it was a dedicated use, having such a densely population right next door could easily be an breach of privacy.

Atty. Schmidt said that he read Section 20-1, there was a definition of dispense in the CT State Statutes and practice of pharmacy. He said that there was a distinction between the two entities. He reiterated that 'as of right' is not included in the zoning regulations. Neither is "over the counter".

Mr. Filotei expressed his concerns about the security and the unintended consequences of this decision. He gave an example regarding the fact that in many places smoking is banned, There is also the issue of the State saying this was illegal while the City says it si legal.

Atty. Schmidt said that if there was anything that Mr. Buckley would approve on his own, generally retail stores don't need security systems like this. He said that the Commission could decide on a moratorium on this to study the issue more.

**** MR. WALKER MOVED TO DENY (14-15) RE: 2181 MAIN STREET - D&B WELLNESS - SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A MEDICAL MARIJUANA DISPENSARY IN THE PROPOSED HOLISTIC CARE CLINIC IN THE**

EXISTING COMMERCIAL BUILDING IN AN OR-G ZONE FOR THE FOLLOWING REASONS:

- 1) THE APPLICATION FAILED TO SATISFY THE SPECIAL PERMIT STANDARDS UNDER SEC. 14-4-4. SPECIFICALLY, THIS APPLICATION FAILED TO ESTABLISH THAT A MEDICAL MARIJUANA DISPENSARY AT 2181 MAIN STREET IS SUPPORTED BY THE MASTER PLAN OF CONSERVATION & DEVELOPMENT. SEC 14-4-4(A).**
- 2) BASED UPON THE TESTIMONY OF FAMILY MEMBERS AND COMMERCIAL BUSINESSES, THE APPLICANT FAILED TO ESTABLISH THAT THE APPLICATION WOULD NOT IMPAIR THE FUTURE DEVELOPMENT OF THE SURROUNDING AREA. SEC 14-4-4 (B).**
- 3) THE PROPOSED MARIJUANA DISPENSARY WOULD HAVE BEEN ADJACENT TO A 180-UNIT APARTMENT COMPLEX LOADED WITH FAMILIES AND CHILDREN. BASED ON THE TESTIMONY OF THESE RESIDENTS IN THIS NEIGHBORHOOD, THE APPLICATION FAILED TO ESTABLISH THAT THERE WOULD BE NO UNDUE HAZARD FROM THE SALE OF MEDICAL MARIJUANA, PARTICULARLY SINCE THE STATE OF CONNECTICUT SPECIFICATIONS REQUIRED SIGNIFICANT CRIME PREVENTIONS MEASURES TO BE UTILIZED. THE STATE REQUIREMENTS FOR A MARIJUANA DISPENSARY CLEARLY DEMONSTRATE THAT CRIME IS A CONCERN BOTH INSIDE AND OUTSIDE THE MARIJUANA DISPENSARY. THE COMMISSION IS OBLIGATED TO PROTECT NOT ONLY THE DISPENSARY BUT ALSO THE SAFETY OF NEIGHBORS AND THE ENTIRE CITY. SEC. 14-4-4(F).**
- 4) BASED ON THE OVERWHELMING TESTIMONY OF RESIDENTS, THE APPLICANT FAILED TO ESTABLISH THAT THE MARIJUANA DISPENSARY WOULD NOT BE DISRUPTIVE TO OR CAUSE CONFLICTS WITH EXISTING USES, BOTH RESIDENTIAL AND COMMERCIAL, WITH THE IMMEDIATE VICINITY. SEC 14-4-4(I).**
- 5) APPLICANT'S VAGUE REFERENCE TO AN UNKNOWN USE OF THE 2ND FLOOR OF THIS BUILDING WAS CONSIDERED A SAFETY RISK FOR THE SECURITY OF THE SUBJECT**

BUILDING AND PROPERTY AS WELL AS NUMEROUS RESIDENTIAL AND COMMERCIAL NEIGHBORS.

- 6) THE COMMISSION FOUND THAT UNDER EXISTING STATE STATUTES, THERE ARE DIFFERENT DEFINITIONS FOR A RETAIL PHARMACY AS COMPARED TO A DISPENSARY. A MEDICAL MARIJUANA DISPENSARY IS NOT A PHARMACY AND IS NOT A PERMITTED USE IN THIS ZONE.**
- 7) THE COMMISSION RECOGNIZED THAT THE SALE AND USE OF MARIJUANA IS ILLEGAL UNDER FEDERAL LAW. HOPEFULLY OTHER TOWNS AND STATES THAT DECIDE TO ALLOW A MEDICAL MARIJUANA DISPENSARY PROVIDE ADDITIONAL INFORMATION ON THIS SUBJECT.**
- 8) THE COMMISSION FOUND THAT THIS WAS A BAD LOCATION FOR A NEW AND POTENTIALLY DANGEROUS COMMERCIAL ACTIVITY, AND WOULD HAVE A NEGATIVE IMPACT ON THE ADJOINING RESIDENCES AND COMMERCIAL ESTABLISHMENTS.**

**** MS. PAPPAS-PHILLIPS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

C-3 (14-16) RE: 1815 STATE STREET –Concrete Encounter - Seeking a site plan review for the establishment of a low impact manufacture facility and related business offices (which received a special permit on 02/24/14) in the existing industrial building in an I-L zone.

Mr. Buckley said that the petitioner had asked for continuance to Monday, April 28, 2014. This would be the applicant's 2nd continuance.

**** MR. WALKER MOVED TO CONTINUE APPLICATION C-3 (14-16) RE: 1815 STATE STREET –CONCRETE ENCOUNTER - SEEKING A SITE PLAN REVIEW FOR THE ESTABLISHMENT OF A LOW IMPACT MANUFACTURE FACILITY AND RELATED BUSINESS OFFICES (WHICH RECEIVED A SPECIAL PERMIT ON 02/24/14) IN THE EXISTING INDUSTRIAL BUILDING IN AN I-L ZONE TO MONDAY, APRIL 28, 2014.**

**** MR. RODRÍGUEZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

D-2 (14-10) RE: 375 MAIN STREET – 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.

Mr. Filotei said that there had been a change in the focus and originally it was for Marina Village and then it was only 26 units. The value is unrealistic. He then listed a number of buildings that had been constructed in the last six years that had a large number of units in foreclosure.

Ms. Pappas-Phillips said that she agreed and said that it was not the highest and best use of the parcel , particularly since it was in a flood zone. The residents would be very vulnerable and less likely to have content insurance. She pointed out that the developer did not know when the environmental assessments would be done.

**** MR. WALKER MOVED TO APPROVE D-2 (14-10) RE: 375 MAIN STREET – 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 NCVZ ZONE AND COASTAL AREA APPROVED WITH THE FOLLOWING CONDITIONS:**

- 1. THIS PROJECT SHALL BE SUBMITTED TO THE STATE HISTORICAL COMMISSION FOR REVIEW AND COMMENT.**
- 2. AN ENVIRONMENTAL ASSESSMENT SHALL BE PERFORMED TO ENSURE COMPLIANCE WITH PHASES 1, 2 & 3.**
- 3. THE HOUSING AUTHORITY SHALL MINIMIZE ANY RESPIRATORY ISSUES PERTAINING TO POTENTIAL OCCUPANTS OF THE PROPOSED BUILDINGS.**
- 4. THE DEVELOPMENT OF THE PROJECT SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE COMMISSION.**
- 5. ALL CONSTRUCTION SHALL BE IN FULL COMPLIANCE WITH FEMA MANDATES, AS WELL AS THE BASIC BUILDING CODE OF THE STATE OF CT.**
- 6. THE DEVELOPER SHALL INCORPORATE ALL COMMENTS OF THE ENVIRONMENTAL ANALYST FROM THE OFFICE OF THE LONG ISLAND SOUND PROGRAM IN HIS EMAIL DATED 01/15/14, AS WELL AS THE RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER DATED 10/21/13.**

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT, AS APPROVED, IS CONSISTENT WITH THE MASTER PLAN OF CONSERVATION AND DEVELOPMENT OF THE CITY OF BRIDGEPORT.**
- 2. THE DEVELOPMENT OF THIS VACANT PARCEL WILL BRING NEW QUALITY LIVING ACCOMMODATIONS IN THE SOUTH END SECTION OF THE CITY.**
- 3. IN ADDITION TO APPROVALS FROM THE DEEP, THE DEVELOPMENT OF THE SUBJECT SITE WILL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.**

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 APRIL 21, 2015.

**** THE MOTION PASSED WITH FIVE IN FAVOR (FIDELE, TIAGO, MORTON, WALKER, RILEY AND RODRÍGUEZ) AND TWO OPPOSED (FILOTEI, PAPPAS-PHILLIPS).**

D-3 (14-04) RE: 76 GLENWOOD AVENUE – Seeking a special permit, site plan review, and under Sec. 14-54 of the CT General Statutes and Sec. 12-2 of the Zoning Regulations for a certificate of approval of location and the issuance of a used car dealership license in the existing commercial building in an OR-G zone.

Mr. Buckley commented that this application had been withdrawn.

**** MR. WALKER MOVED TO ACKNOWLEDGE THE WITHDRAWAL OF THE APPLICATION D-3 (14-04) RE: 76 GLENWOOD AVENUE.**

**** MR. RODRÍGUEZ SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

D-4 (14-11) RE: 240 (aka 139) OCEAN TERRACE – Seeking a special permit, site plan review, and a coastal site plan review to permit the construction of a new state-of-the-art elementary school in an R-C zone and coastal area.

**** MR. WALKER MOVED TO APPROVE D-4 (14-11) RE: 240 (AKA 139) OCEAN TERRACE – SEEKING A SPECIAL PERMIT, SITE PLAN REVIEW, AND A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A NEW STATE-OF-THE-ART ELEMENTARY SCHOOL IN AN R-C ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL INCORPORATE ALL RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER OF 03/12/14.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

FOLLOWING REASONS:

- 1. THE PROJECT WILL HAVE NO UNACCEPTABLE IMPACT ON THE COASTAL AREA/**
- 2. THE PROJECT, AS APPROVED, WILL PROVIDE A STATE OF THE ART EDUCATIONAL FACILITY FOR THE RESIDENTS OF THE BLACK ROCK DISTRICT AND THE WEST END SECTION OF BRIDGEPORT.**

**** MR. TIAGO SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

(14-18) RE: 1136 – 1160 MAIN STREET – Seeking a coastal site plan review to permit the renovation of the existing commercial buildings into mixed-use buildings, residential and retail, in a DVD-CORE zone.

**** MR. RODRÍGUEZ MOVED TO APPROVE (14-18) RE: 1136 – 1160 MAIN STREET – SEEKING A COASTAL SITE PLAN REVIEW TO PERMIT THE RENOVATION OF THE EXISTING COMMERCIAL BUILDINGS INTO MIXED-USE BUILDINGS, RESIDENTIAL AND RETAIL, IN A DVD-CORE ZONE WITH THE FOLLOWING CONDITION:**

THE DEVELOPMENT OF THE SUBJECT BUILDINGS SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE COMMISSION.

FOR THE FOLLOWING REASONS:

- 1. THE DEVELOPMENT SHOULD BE A CATALYST FOR REESTABLISHING RETAIL USES IN ADDITION TO MODERN LIVING UNITS ALONG THE MAIN STREET CORRIDOR.**
- 2. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.**

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

(14-19) RE: 710 LINDLEY STREET – Petition of 1 Automotive Solutions, LLC - Seeking under CT General Statutes 14-54 an amended certificate of approval of location for a used car dealership license to continue the display, sale, and repair of used motor vehicles in the existing 1-story commercial building in an OR-G zone.

Mr. Rodríguez asked if it had been a repair facility, and sale of vehicles. Mr. Buckley said that the vehicles were stored inside.

**** MR. RODRÍGUEZ MOVED TO APPROVE (14-19) RE: 710 LINDLEY STREET – PETITION OF 1 AUTOMOTIVE SOLUTIONS, LLC - SEEKING UNDER CT GENERAL STATUTES 14-54 AN AMENDED CERTIFICATE OF APPROVAL OF LOCATION FOR A USED CAR DEALERSHIP LICENSE TO CONTINUE THE DISPLAY, SALE, AND REPAIR OF USED MOTOR VEHICLES IN THE EXISTING 1-STORY COMMERCIAL BUILDING IN AN OR-G ZONE WITH CONDITIONS:**

- 1. THE LOT SHALL BE STRIPED IN ACCORDANCE WITH SEC. 11-1-12 OF THE ZONING REGULATIONS.**
- 2. DMV CONDITIONS “D” (ENCLOSED) ALSO APPLY.**

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

**** MR. FILOTEI MOVED TO HAVE THE COMMISSION TO INCLUDE A MORATORIUM ON MEDICAL MARIJUANA DISPENSARY FOR A YEAR.**

**** MR. WALKER SECONDED.**
**** THE MOTION PASSED UNANIMOUSLY.**

(14-20) RE: 624 EAST MAIN STREET – Seeking under CT General Statute 14-54 a certificate of approval of location to reestablish a general repairers license in the existing gas station with a recently approved convenience store use in an OR zone.

**** MR. WALKER MOVED TO DEFER APPLICATION (14-20) RE: 624 EAST MAIN STREET – SEEKING UNDER CT GENERAL STATUTE 14-54 A CERTIFICATE OF APPROVAL OF LOCATION TO REESTABLISH A GENERAL REPAIRERS LICENSE IN THE EXISTING GAS STATION WITH A RECENTLY APPROVED CONVENIENCE STORE USE IN AN OR ZONE TO APRIL 28, 2014.**

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

APPROVAL OF MINUTES.

Feb. 24, 2014 -

**** MR. RODRÍGUEZ MOVED TO APPROVE THE MINUTES OF FEBRUARY 24, 2014.**

**** MR. WALKER SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF FEBRUARY 24, 2014 AS SUBMITTED PASSED UNANIMOUSLY.**

Feb. 26, 2014 -

**** MR. RODRÍGUEZ MOVED TO APPROVE THE MINUTES OF FEBRUARY 26, 2014.**

**** MR. WALKER SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF FEBRUARY 26, 2014 AS SUBMITTED PASSED UNANIMOUSLY.**

ADJOURNMENT.

**** MR. WALKER MOVED TO ADJOURN.**

**** MR. MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services