

PLANNING AND ZONING COMMISSION FEBRUARY 25, 2015 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, Reggie Walker, Robert Filotei, Carlos Moreno, Tom Fedele, Robert Morton (6:05 p.m.)

STAFF: Dennis Buckley, Zoning Official; Diego Guerrero, Design Review Coordinator

CALL TO ORDER.

Commissioner Riley called the meeting to order at 6:03 p.m. A quorum was present. Commissioner Riley said that there were six Commissioners and it would take a unanimous vote to approve an application.

Atty. Rizio came forward asked for a continuance for Application 15-08 - 547 North Avenue. Mr. Buckley came forward and explained that the owner was told that he was not allowed to open the convenience store but the owners went ahead and opened it anyway. He has received notification that he should not be operating the store.

Commissioner Morton joined the meeting at 6:05 p.m.

CITY BUSINESS.

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Mr. David Kooris, OPED Director, came forward and said that there were a number of properties that were being suggested for auction or sale to abutters. He said that in the past, the City would sell off parcels that required variances. He gave an overview of the various parcels involved.

Commissioner Phillips asked about the parcel at the corner of State Street. Mr. Kooris said that it was the old Police Precinct. He explained that the person who is interested in purchasing this parcel was seeking variance permission so that she could go ahead and purchase the property. Discussion followed.

Commissioner Riley asked if there was anyone who wished to speak in favor of the application. No one came forward. Commissioner Riley asked if there was anyone who wished to speak against the application. Hearing none, Commissioner Riley closed the public hearing on the 8-24 Referral.

NEW BUSINESS.

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Atty. Rizio came forward and presented the mailing receipts to Mr. Buckley. Commissioner Phillips then read the letter from Mr. Gaucher that stated that his office had no comments on the application.

Atty. Rizio came forward and greeted the Commissioners. He said that the parcel was approximately 46 acres and the client was seeking a zone change. He then distributed several documents to the Commissioners. This parcel is the former Director's Shipyard and Kartec site.

Mr. Kooris came forward and explained that the request involves approximately half of the 40 acre site. The request is to re-zone a portion of the heavy industrial zone.

Commissioner Phillips had several questions about the zoning history, which Mr. Kooris answered.

Atty. Rizio listed the reasons that this should be changed to mixed use/waterfront, which was created so the developers could have some flexibility with their projects. He said that the eligible properties have to be at least 10 acres, abut a principal street, and borders the waterfront.

The current zoning is OR-G and I-H, which would not be compatible with the use. He added this was consistent with the Bridgeport Master Plan of Conservation and Development and went on to list the various highlights of the plan.

Mr. Kooris said there had been questions about why this was not done before. He said that previously the City was looking to keep the area open for water dependent heavy industrial business. He explained that due to the way the land is located in the Harbor, the southern portion has access to the Harbor's deep water. The northern section fronts the Yellow Mill Creek. Atty. Rizio indicated where the parcel was located on an aerial map.

The site will be used for the boat storage that will be sold by Bass Pro. It will be fenced in and lit.

Atty. Rizio then reviewed the second portion of the application, which has an entrance off of Stratford Avenue. He indicated where this was on the aerial map in relationship to the 95 Exit. Atty. Rizio said that a public fishing pier will be built nearby. Atty. Rizio also informed the Commission that the DEEP permit had been received the previous day.

Atty. Rizio then reviewed where the stop signs and turning lanes that had been required by the City Engineer would be located on the site plan.

Commissioner Riley asked about the proposed boat ramp. Atty. Rizio said that there would be a public fishing pier, and a boat ramp.

Mr. Mark Summers came forward and explained that the boat storage area needs to be completed 60 days before Bass Pro opens on October 15th. The site has been remediated and there are land use restrictions on it. There will be a two foot cap of soil on the contaminated area.

Commissioner Phillips asked for more details of the public walkway. Atty. Rizio reviewed the details and said that the full coastal landscape plan in the DEEP coastal packet. It is a pedestrian walkway, not a bike trail.

Commissioner Filotei asked about the location of the fishing pier. Mr. Summers said that this was a re-purposing of previous pier. This is only thing that the DEEP will allow.

Commissioner Morton said that there had been numerous developers who had promised things to the neighborhood but this proposal only will give the neighborhood a boat ramp and a pier. Mr. Summer said that the goal was to develop the entire 28 acre parcel. Mr. Kooris said that the development is hinged on the zone change approval since the current zoning of heavy industrial is not

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

Mr. Ernie Newton, the Vice President of the NRZ came forward and said that the structure was more of a fishing dock rather than a pier, which would be like Pleasure Beach. Having a fishing dock would be good for the Community. The other part is that Mr. Newton is in favor of the zone change because it opens the door for a supermarket and pharmacy to the neighborhood. He added that the NRZ had not been told that Bass Pro was planning to have a boat storage facility in the area. He said that he would like the NRZ to be informed of the plans, so he wouldn't have to come down to City Hall at the last minute.

Atty. Rizio said that the DEEP would only permit the fishing dock to be in the same size and location that it was before.

Commissioner Phillips asked if the NRZ had been informed. Atty. Rizio said that he had been in contact with them.

Mr. Kooris said that the City may have incorrectly assumed that there was more information about the boat storage available to the community due to the length of time the development has been underway. He apologized for the oversight.

Atty. Willinger came forward and said that he represented the petitioner and turned in the mailing receipts. Atty. Willinger said that his client was the lease of a property for a

Popeye's on Fairfield Avenue. The first Popeye's restaurant has been well received and is proposing a second location.

Atty. Willinger said that there had been variances for construction issued back on January 2015. He said that the site plan had been revised to conform with the conditions. He then indicated that there was a condition that the State had imposed regarding the entrances and exits.

Mr. Buckley came forward to review the ZBA's decision and conditions. He said that ZBA wanted more landscaping and a by pass lane. Atty. Willinger then indicated where the curb cuts would be and whether they would be entrances or exits. Commissioner Filotei said that he lives near the first Popeye's and it is always busy. Atty. Willinger said that these were the Traffic Engineer's recommendations.

Atty. Diane Lord came forward and said that she had posted the signs and photographed them with her phone. Atty. Willinger then gave a brief overview of the traffic flow and parking. He explained that the ZBA wanted a sidewalk along the portion of the property that borders the Stop N Shop property.

Atty. Lord came forward and displayed the photos of the posting to the Commissioners.

Atty. Willinger then reviewed the comments from the City Engineer's report. The Traffic Engineer said that additional curb cuts would create conflicts on Fairfield Avenue and said that he would prefer that only one curb cut be maintained.

Atty. Willinger said that the reason that a zone change was needed was because OR-G did not allow for the 21 foot height for the signage, and the drive-thru.

Atty. Willinger said that the change of zone requires a need to have the drive thru, and it would be in harmony with the neighborhood and not an negative impact on the neighborhood. The developer has met with the NRZ and there are no issues or concerns. The property in back of the parcel is OR-G. The new restaurant will expand job opportunities and the tax base.

Atty. Willinger then reviewed the reasons why the proposals were consistent with the zoning regulations. He then distributed copies of a photo of the Popeye's on North Avenue, which will be the same design for the Fairfield Avenue.

Commissioner Filotei asked about any environmental impacts. Atty. Willinger said that there were no environmental impacts.

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

Mr. Kooris came forward and said that the Department was in favor of the application and the zone change. He said that he commended the applicant on the changes made, which seems to improve the plan. He suggested perhaps having the cross walk elevated so that the vehicles go up and over.

Mr. Jerry Manning, the Black Rock NRZ president came forward and said that there had been many conversations about the zone change and the traffic considerations would be well designed. There were concerns about signage. He said that there was a preexisting sign on the neighboring property that was taller than 21 feet. He said that there was a satisfactory

Commissioner Riley asked if there was anyone who wished to speak against the application. Hearing none, Commissioner Riley closed the public hearing on 2175 & 2201 Fairfield Avenue.

RECESS.

Commissioner Riley announced a recess at 7:30 p.m. He called the meeting back to order at 7:35 p.m.

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Commissioner Riley asked if the next two applications could be combined into the same presentation. Mr. Cabazes said that he believed so.

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Mr. Cabezas said that he was present to represent the client, Bridgeport Neighborhood Trust (BNT). He said that the parcels were in the flood zone. Mr. Cabezas asked Mr. Buckley to repeat the conditions for the ZBA application. Mr. Buckley gave a brief overview

Commissioner Phillips then asked to see a map with all three parcels on it. Mr. Cabezas indicated where that was and where the CAM boundaries were. Commissioner Walker asked about two vacant properties. Mr. Cabezas said that they were not part of the BNT property and he believed they had houses on them.

Ms. Liz Torres, the BNT Director, came forward and said that the BNT was working in this neighborhood for seven years. She then described one phase of the rentals and pointed out that these were going to be two family homes that will be owner occupied. This is a private project and the BNT help people to achieve home ownership.

Mr. Cabezas said that these applications were all straight forward. The variances were granted. Mr. Cabezas then read the letter from Mr. Gaucher stating that the office had no comments on the project.

Commissioner Phillips asked Mr. Cabezas to comment on the FEMA flood requirements. Mr. Cabezas said that they were required to elevate the buildings and did so. He indicated where the flood vents would be located and assured the Commissioners that they met FEMA requirements.

The parking will be located in the rear of the building and said that there was a common driveway.

Commissioner Filotei asked about the Federal funding for the project. Ms. Torres came forward and reviewed this.

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

Mr. Kooris, the Office of Economic Development, came forward and said the City was in favor of the projects. He said that the Commissioners would shortly hear that there are community gardens located on two of the parcels. The parcels were on City property and transferred to the BHA and BNT.

Commissioner Riley asked if there was anyone who wished to speak against the application.

Council Member Robert Halstead came forward and side that the gardens have been there for 30 years. The State DEEP gave a grant for 10 gardens. He then said that the City signed the grant and agreed to have the gardens. He said that he had spoken with the DEP earlier in the day and they were interested in hearing about this. He said that these were considered to be natural coastal resources.

Ms. Torres came forward and said that she had been in touch with Ms. Barbara Kelly of Urban Roots, who has control of the three community gardens in this development. When they are maintained, they are an asset but when they are not, they are an eyesore.

RECESS.

Commissioner Riley announced a recess at 8:00 p.m. He called the meeting back to order at 8:10 p.m.

CONSENT AGENDA.

** COMMISSIONER WALKER MOVED TO APPROVE THE CONSENT AGENDA AS FOLLOWS:

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

** COMMISSIONER MORTON MOVED TO APPROVE AGENDA ITEM

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Mr. Guerrero said that he had worked out a possible solution for the concerns for the ZBA exiting onto Astor Avenue.

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

Mr. Buckley came forward and stated that the appplic_cant received an Order Comply regarding the convenience store use without proper approvals and is to cease and desist all retail sales activity in this building until proper approved.

□ COMMISSIONER PHILLIPS MOVED TO DEFER AGENDA ITEM**

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OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE COMMISSION.

There were no additional items to discuss at this time.

APPROVAL OF MINUTES.

There were no minutes to approve at this time.

ADJOURNMENT.

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

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

S. L. Soltes Telesco Secretarial Services