

**CITY OF BRIDGEPORT
PLANNING & ZONING COMMISSION
REGULAR MEETING
JUNE 29, 2015**

ATTENDANCE: Mel Riley, Chair; Carlos Moreno; Reggie Walker; Edgar Rodriguez; Barbara Freddino; Tom Fedele; Robert Morton; Bob Filotei; Rosa J. Correa

STAFF: Dennis Buckley, Zoning Official; Attorney Ed Schmidt

CALL TO ORDER

The Chair called the meeting to order at 6:45 PM. A quorum was present.

CITY BUSINESS

(15-36) Text Amendment- Petition of the Office of Planning & Economic Development (OPED)- Seeking to amend Table 4.A to add Note #3 to mean high water setbacks in the MU-LI zone.

Mr. David Kooris came forward on behalf of the Office of Planning & Economic Development. He stated that when zoning changed in 2009, there was a mixed use light industrial zone designation created to do two things- 1. to allow more expansive uses, and 2. to recognize that some of the industrial areas like State Street are in major neighborhood corridors, and as such make sure buildings put in are residential friendly and match the neighborhood. He stated that some MU-LI zones are located on State Street, Barnum Avenue and near the waterfront. Mr. Kooris stated that recently they have found the length of the setback conflicts in instances when the mixed use light industrial site is on the waterfront. He stated that they want to incentivize building dependent use in these cases, and thus, would like to allow the buildings to be backed to the water in instances where they are building a water-adjacent business, like a marina. He further stated that if the building serves a dual purpose, such as a marina and a restaurant, the restaurant must remain adjacent to the sidewalk, while the marina may back to the water.

Commissioner Freddino read a letter from Mr. John Gaucher of DEEP, who stated he had nothing to comment on in relation to Item 15-36.

Commissioner Walker asked how not having this amendment specifically restricts waterfront development. Mr. Kooris stated that by building on the waterfront in the mixed use light industrial zone today, with the statute as is, the variance would likely be exceeded. He further stated that it would not technically be a hardship, though it could potentially be approved by the ZBA, but ultimately it would be cleaner to fix the legislation.

The Chair asked if there was anyone present who wished to speak in favor of the application. No one came forward. He then asked if there was anyone present who wished to speak in opposition. Hearing none, the Chair closed the hearing on 15-36.

(15-37) Zone Reclassification Revision & Map Change- Petition of the Office of Planning & Economic Development (OPED)- Seeking map changes and a modification and reclassification of portions of the R-C zone and OR zone in the Black Rock section of the City to a proposed R-CC zone to promote higher density development in conjunction with mass transit uses. Also, seeking to establish a Commercial Village Overlay District (CVOD) along the Fairfield Avenue corridor from Albion Street to the Fairfield town line.

Mr. Kooris stated that, driven by a desire to revisit the item with additional specificity to assure all stakeholders were made aware, they were requesting the item be withdrawn.

(15-38) 210 Stratford Avenue- Petition of the Office of Planning & Economic Development (OPED)- Seeking a site plan review and a coastal site plan review to permit dry dock repairs to boat/ship hulls and basic engine maintenance in the existing shell fishing business in the Planned Development District (PDD) and coastal area.

Mr. Kooris turned in the appropriate mailings. He stated that the 210 Stratford Avenue is the only parcel on the strip that will be kept by the city, which is the relocation site from Bloom Shellfish. He stated that when the site was brought before zoning before, it was contemplated exclusively by the shellfish operations, while now there is also limited boat repair as they repair their own fleets. He further stated, in the interest of being diligent, they wanted to come before them and request the additional approvals, and that in working with the city engineer, they have addressed previous concerns.

Commissioner Freddino asked if the issue of the map needing to be filed separately had been addressed. Mr. Kooris stated that it had.

Commissioner Freddino read a letter from Mr. John Gaucher of DEEP, who stated that the application is consistent with the Connecticut Coastal Management Act Policies, and that he had no comments.

The Chair asked if there was anyone present who wished to speak in favor of the application. No one came forward. He then asked if there was anyone present who wished to speak in opposition. Hearing none, the Chair closed the hearing on 15-38.

NEW BUSINESS

(15-39) 412 Housatonic Avenue- Petition of the Southern Connecticut Gas Company- Seeking a site plan review and a coastal site plan review to permit the construction of a 600 sq. ft. natural gas metering and recycling facility in a portion of the existing sand and gravel property in an MU-LI zone and coastal area.

Mr. Amos Barnes, Director of Corporate Engineering from the Southern Connecticut Gas Company, came forward and handed in the appropriate mailings. He stated that the planned facility is a metering and regulating facility, and that there are currently 16 facilities in the city, primarily underground. He stated it was necessary to have this facility above ground due to the necessity of a heating component, and that they planned on a concrete enclosure for the facility. He stated that the reason for creating the facility is to accommodate gas pressures on the coldest days in the city, as well as the existing loads. He stated that this development has been on the books for quite some time, but after the energy challenges of last winter, they are moving up construction. Mr. Barnes stated that the building is 50 ft by 9 ft tall by 9 ft wide, and is on land owned since the late 1800s by the Southern Connecticut Gas Company. He stated that there will be three rooms inside, where pressure is metered and cut and that a boiler will keep the gas temperature above freezing. He stated that the station will only operate 15-30 days per year, only on exceptionally cold days. He stated that the site will be unmanned, but will be monitored 24 hours a day from a control center in Milford. Mr. Barnes displayed the site plan on the 4.6 acre site, currently leased to BC Sand and Gravel. He stated that they were looking at temporarily using 6,000 square feet for construction in the front, and in the end there will be a 600 square foot building enclosed by a chain link fence, complete with security and a landscaping plan.

Commissioner Freddino read a letter from Mr. John Gaucher of DEEP dated June 4, 2015, stating that he had no comments for consideration.

Commissioner Walker asked if there will be indications of the building's purpose on the outside. Mr. Barnes stated that there would be plaques, so if people were to smell gas they could report it. Commissioner Walker inquired about the safety of the building from explosion, and Mr. Barnes stated that everything is designed to be explosion proof, and that thus far, there has been no incident at any of their stations.

Commissioner Morton asked about the wisdom of putting the site so close to Housatonic Avenue, and Mr. Barnes stated that the robustness of the design makes it a non-issue.

Commissioner Freddino asked if the site plan has been changed to include sanitary lateral and water collection. Mr. Barnes stated that he had spoken with Mr. Block, and that it was not an issue.

The Chair asked if there was anyone present who wished to speak in favor of the application. Mr. Kooris came forward and stated that he wished his comments to be deemed neutral, and stated that the OPED had two issues they wished to have addressed:

1. Whether the location of the facility on the site could be placed on the southern end of the property rather than the northern so there could be less impact on any potential and further development.
2. Whether the placement of the facility would impact waterfront access to the general public.

Mr. Barnes stated that he did not foresee a problem with placing the facility at the southern end of the property, and that this was in the realm of possibility. Commissioner Freddino asked if it would be possible to draw up some plans with the facility on the other side of the property and return next month. Mr. Sean Crosby from SEG Perspective requested the approval of the Coastal Site Plan portion of the application this evening, as moving the building location would not affect its impact on the Coastal Site Plan. He further requested a continuance.

The Chair asked if there was anyone present who wished to oppose the application. Hearing none, he closed the hearing on 15-39.

(15-41) 777 Main Street- Petition of Capital Prep Harbor School- Seeking a site plan review and a coastal site plan review to permit the establishment of a college preparatory school for students in grades 6 through 12 DVD-TOD zone and coastal area.

Commissioner Morton recused himself.

Mr. Jeffrey Bay came forward and stated that they are not seeking a special use permit, and that they only plan on doing an internal renovation with no change to the footprint. He further stated that the school use is on the list of approved uses, and that the building has been vacant for several years.

Commissioner Riley asked if there was anything on the exterior that would impact the Coastal Management plan, and Mr. Bay answered in the negative.

Mr. Bay acknowledged previous concerns expressed regarding the lack of attention given to parking, and stated that they now have a proposal designed to ensure that there will be no traffic impact on Main Street. He stated that, of the projected 250 students in grades 6-12, 90% will take the bus to and from school. The school will make arrangements with the City of Bridgeport to bus the children to the school, with 5 routes anticipated. He stated that there is a fenced parking lot with two gated entrances directly adjacent to the school, and that the buses will use this for pickup and drop off. He stated that staff will direct buses and escort students, after which the bus will travel counter clockwise and exit on North Frontage.

Commissioner Riley asked who owns the parking lot next store, and Mr. Bay stated that it is owned by the entity known as Forstone Capital, and that they have assurances from Forstone that they can utilize the parking lot. Commissioner Riley asked if the agreement is in writing, and Mr. Bay answered in the affirmative. Commissioner Freddino requested a hard copy of the agreement be provided to the commission. Mr. Bay stated that Forstone also plans on manning the North Frontage gate during drop off, and plan on erecting signage and painting lines for parking.

Commissioner Correa asked if, as some of the students are of driving age, the school would be setting a ban on driving. Mr. Bay stated that they would not be banning students from driving, but that they would not incentivize or accommodate it with parking.

Commissioner Freddino asked if they had addressed the issues noted in the fire marshal's report, and Mr. Bay stated that they were addressing them.

Commissioner Rodriguez asked if the parking of another facility was being shared with the school's intended parking lot, and Mr. Ryan McClay, a Forstone representative, came forward and stated that Forstone had recently acquired a property closer to the other facility in question, thus their parking would be moved to that location.

Commissioner Freddino read a letter from John Goucher, who had no comments.

Mr. Bay requested, in lieu of a continuance, that the commission consider granting their request with a condition that the parking lease be submitted by a date of their choosing, as the matter is time sensitive.

Commissioner Riley asked where the children will go to recreate, after seeing no such location on the site plan. Mr. Steve Perry, the head of schools at Capital Schools, stated that each child has a two sport requirement, and that they plan on utilizing Bridgeport's many athletic facilities within a reasonable range.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the application. Mr. Korris stated that OPED is excited about the plan, as it will inject a different energy into downtown. He further stated that the mix of timelines at hand during the school's approval and construction is such that the representatives could not possibly have come to the commission any earlier.

Commissioner Riley asked if there was anyone present who wished to oppose the application. Hearing none, he closed the application on 777 Main Street.

CONSENT AGENDA

(CA-1) Moratorium- Petition of the City of Bridgeport Planning & Zoning Commission- Requesting a 1 year extension of the city-wide moratorium for medical marijuana grow facilities and dispensaries that expired June 2, 2015.

Commissioner Morton re-entered the meeting.

Commissioner Riley suggested that rather than extend that moratorium for a year, they do so for 6 months. Commissioner Walker concurred. Commissioner Freddino stated that the yearlong time period should be kept in the interest of observing what the other towns do and act accordingly, rather than piecing it together.

Commissioner Walker asked what it would take to have the moratorium lifted, and suggested research, communications, visits with the other cities, legal opinions, and land use. He asked if they had the staff to carry this out, or if they could send it out to a consultant. Atty. Schmidt stated that a consultant was not in the budget, and it would likely have to be in-house. He stated that the moratorium was meant to be a short term solution. Commissioner Walker stated that Commissioner Riley had suggested a committee to collaborate with staff in order to gain more knowledge and send the correct signal.

Commissioner Correa stated that she would suggest going with another year, as it would allow them time to review it with more facts in place. Commissioner Freddino stated that there would

be no disadvantage to waiting another year, as they want to determine which regulations would be appropriate or inappropriate.

(CA-2) 177 & 189 State Street- Petition of Forstone Mclevy, LLC- Requesting a 1-year extension of an approved coastal site plan review which expired March 3, 2015.

APPROVAL OF MINUTES, MAY 26, 2015

- ** COMMISSIONER FEDELE MOVED TO ACCEPT THE MEETING MINUTES OF THE MAY 26, 2015 REGULAR MEETING.**
- ** COMMISSIONER WALKER SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

DECISION SESSION

(15-36) Text Amendment- Petition of the Office of Planning & Economic Development (OPED)- Seeking to amend Table 4.A to add Note #3 to mean high water setbacks in the MU-LI zone.

- ** COMMISSIONER MORTON MOVED TO APPROVE ITEM 15-36 RE: TEXT AMENDMENT- PETITION OF THE OFFICE OF PLANNING & ECONOMIC DEVELOPMENT (OPED)- SEEKING TO AMEND TABLE 4.A TO ADD NOTE #3 TO MEAN HIGH WATER SETBACKS IN THE MU-LI ZONE.**

FOR THE FOLLOWING REASONS:

- 1. THE AMENDMENT WILL HELP FACILITATE THE DEVELOPMENT OF DEPENDANT USES AT THE SHORELINE.**

- ** COMMISSIONER RODRIGUEZ SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

(15-37) Zone Reclassification Revision & Map Change- Petition of the Office of Planning & Economic Development (OPED)- Seeking map changes and a modification and reclassification of portions of the R-C zone and OR zone in the Black Rock section of the City to a proposed R-CC zone to promote higher density development in conjunction with

mass transit uses. Also, seeking to establish a Commercial Village Overlay District (CVOD) along the Fairfield Avenue corridor from Albion Street to the Fairfield town line.

WITHDRAWN.

(15-38) 210 Stratford Avenue- Petition of the Office of Planning & Economic Development (OPED)- Seeking a site plan review and a coastal site plan review to permit dry dock repairs to boat/ship hulls and basic engine maintenance in the existing shell fishing business in the Planned Development District (PDD) and coastal area.

**** COMMISSIONER MORTON MOVED TO APPROVE AGENDA ITEM 15-38 RE: 210 STRATFORD AVENUE- PETITION OF THE OFFICE OF PLANNING & ECONOMIC DEVELOPMENT (OPED)- SEEKING A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO PERMIT DRY DOCK REPAIRS TO BOAT/SHIP HULLS AND BASIC ENGINE MAINTENANCE IN THE EXISTING SHELL FISHING BUSINESS IN THE PLANNED DEVELOPMENT DISTRICT (PDD) AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE MAINTENANCE AND REPAIR OF COMMERCIAL BOATS IS LIMITED TO THE BLOOM SHELLFISH FLEET ONLY.**
- 2. THE PROPERTY IS TO BE MAINTAINED IN A NEAT AND ORDERLY FASHION AS THIS PORTION OF STRATFORD AVENUE IS THE GATEWAY TO STEELE POINTE FROM THE DOWNTOWN VILLAGE BUSINESS DISTRICT.**
- 3. THE PETITIONER IS TO INCORPORATE ALL OF THE RECOMMENDATIONS OF THE CITY ENGINEER AS STATED IN HIS REPORT DATED 06/15/15.**
- 4. A COPY OF THE STATE DEEP STORM WATER DISCHARGE PERMIT SHALL BE SUBMITTED TO AND HELD ON FILE IN THE ZONING DEPARTMENT OF THE CITY OF BRIDGEPORT.**

FOR THE FOLLOWING REASONS:

- 1. BOAT REPAIRS AND MAINTENANCE IS CONSIDERED TO BE INCIDENTAL TO THE EXISTING COMMERCIAL FISHING OPERATION.**
- 2. THE PROJECT AS APPROVED WILL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.**

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

**** MOTION PASSED WITH 1 IN OPPOSITION (FILOTEI).**

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 July 6, 2016.

NEW BUSINESS

(15-39) 412 Housatonic Avenue- Petition of the Southern Connecticut Gas Company- Seeking a site plan review and a coastal site plan review to permit the construction of a 600 sq. ft. natural gas metering and recycling facility in a portion of the existing sand and gravel property in an MU-LI zone and coastal area.

**** COMMISSIONER RODRIGUEZ MOVED TO CONTINUE AGENDA ITEM 15-39 RE: 412 HOUSATONIC AVENUE- PETITION OF THE SOUTHERN CONNECTICUT GAS COMPANY- SEEKING A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 600 SQ. FT. NATURAL GAS METERING AND RECYCLING FACILITY IN A PORTION OF THE EXISTING SAND AND GRAVEL PROPERTY IN AN MU-LI ZONE AND COASTAL AREA TO JULY 27, 2015.**

**** COMMISSIONER CORREA SECONDED THE MOTION.**

**** MOTION PASSED UNANIMOUSLY.**

(15-41) 777 Main Street- Petition of Capital Prep Harbor School- Seeking a site plan review and a coastal site plan review to permit the establishment of a college preparatory school for students in grades 6 through 12 DVD-TOD zone and coastal area.

**** COMMISSIONER RODRIGUEZ MOVED TO APPROVE AGENDA ITEM 15-41 RE: 777 MAIN STREET- PETITION OF CAPITAL PREP HARBOR SCHOOL- SEEKING A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A COLLEGE PREPARATORY SCHOOL FOR STUDENTS IN GRADES 6 THROUGH 12 DVD-TOD ZONE AND COASTAL AREA.**

WITH THE FOLLOWING CONDITIONS:

- 1. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

2. ALL RENOVATIONS SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.
3. THE LONG TERM PARKING AGREEMENT FOR THE SCHOOL WILL BE SUBMITTED TO AND HELD ON FILE IN THE ZONING DEPARTMENT.

FOR THE FOLLOWING REASONS:

1. THE PROJECT WILL MAKE USE OF A VACANT BUILDING AND THE APPROVED USE WILL COMPLIMENT THE DOWNTOWN AREA.
2. THE PROJECT AS APPROVED COMPLIES WITH THE SITE PLAN REVIEW STANDARDS OF SEC. 14-2-5 AND WILL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.
3. THE PETITIONER SHALL COMPLY WITH ALL OF THE RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER DATED 06/25/15.

**** COMMISSIONER CORREA SECONDED THE MOTION.**

**** MOTION PASSED WITH IN FAVOR, 1 ABSTENTION (MORTON).**

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 July 6, 2016.

CONSENT AGENDA

(CA-1) Moratorium- Petition of the City of Bridgeport Planning & Zoning Commission- Requesting a 1 year extension of the city-wide moratorium for medical marijuana grow facilities and dispensaries that expired June 2, 2015.

**** COMMISSIONER CORREA MOVED TO APPROVE CONSENT AGENDA ITEM CA-1 RE: MORATORIUM - PETITION OF THE CITY OF BRIDGEPORT PLANNING & ZONING COMMISSION- REQUESTING A 1 YEAR EXTENSION OF THE CITY-WIDE MORATORIUM FOR MEDICAL MARIJUANA GROW FACILITIES AND DISPENSARIES THAT EXPIRED JUNE 2, 2015, EFFECTIVE JULY 6, 2015.**

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

**** MOTION PASSED UNANIMOUSLY.**

(CA-2) 177 & 189 State Street- Petition of Forstone Mclevy, LLC- Requesting a 1-year extension of an approved coastal site plan review which expired March 3, 2015.

- ** COMMISSIONER FILOTEI MOVED TO APPROVED CONSENT AGENDA ITEM CA-2 RE: 177 & 189 STATE STREET- PETITION OF FORSTONE MCLEVY, LLC- REQUESTING A 1-YEAR EXTENSION OF AN APPROVED COASTAL SITE PLAN REVIEW WHICH EXPIRED MARCH 3, 2015.**
- ** COMMISSIONER WALKER SECONDED THE MOTION.**
- ** MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

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

The meeting closed at 8:10 PM.

Respectfully submitted,

Catherine Ramos
Telesco Secretarial Services