



PLANNING AND ZONING COMMISSION
JANUARY 25, 2016
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, Secretary; Reggie Walker, Robert Filotei, Robert Morton, Carlos Moreno, Edgar Rodríguez

STAFF: Dennis Buckley, Zoning Official; Diego Guerrero, Design Review Coordinator; Atty. Ed Schmidt, City Attorney's Office

CALL TO ORDER.

Commissioner Riley called the meeting to order at 6:45 p.m. A quorum was present. He then introduced the Commissioners that were seated.

Commissioner Riley announced that Item 16-3 would not be heard.

CITY BUSINESS

(16-01) Map/Zone Change – Petition of the City of Bridgeport Planning & Zoning Commission – Seeking a map and zone change from I-L to R-CC to encourage mix use and high density development near transit hubs. The subject property is located at 510 Canfield Avenue and further bounded North 216.80' and West 259.76' by Ash Creek; East 245' by block 151, lot 1; South 194.05' by Canfield Avenue.

Mr. David Kooris, the Director of the Office of Economic Planning and Development, came forward to present this item. Mr. Kooris give an overview of the area and displayed a map showing the properties in the neighborhood. He explained that this property should have been included in the R-C-C zone when the zone maps were updated in October of 2015.

The Commissioners had no questions.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the matter. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak in opposition to the matter. Hearing none, he closed the public hearing on Item 16-10 Map/Zone Change.

CONTINUED BUSINESS

C-1 (15-71) 110 Broadway – Petition of RMVA-NY Properties, LLC – Seeking a site plan review to permit the construction of a 2-family dwelling in a R-A zone.

Mr. Jeff Most came forward and said that he was representing the client at 110 Broadway. He said that previously, the applicant had asked for a continuance in order to provide some information that the City Engineer wanted. He said that they were able to provide that information tonight along with comments. He said that the project engineer, John McCoy, was also present. He had assisted with some of the drainage requirement and would be able to answer any questions that the Commissioners had along with responding to the Engineering Departments comments.

Mr. John McCoy, a principal engineer at J&F Engineering of Danbury, CT came forward and introduced himself. He said that the applicant had received the comments from the Engineering Department and the firm reviewed those comments before preparing the site plan dated January 11th. This has been submitted to the Commission. Additional comments were received from the Engineering Department at the end of last week. In response to this, one small change was made on the site plan and a response was written to reply to the concerns. The response to the engineering memo was then distributed to the Commissioners.

Commissioner Riley asked what the date was on the document. He said that the latest document the Commissioners had from the City Engineer's Department was dated January 14th. Mr. McCoy said that this was correct. Commissioner Riley noted that there were very few issues. Mr. McCoy agreed.

Mr. McCoy said that the Engineering Department had been concerned about was that the lines that had been originally proposed. A site plan was prepared early in the month and the Engineering Department sent their comments. He indicated where the driveway was located and where the change was made. The original design satisfied all the drainage concerns elsewhere. The new site plan was signed and sealed as required.

There was one modification regarding the parking. In the earlier response, Mr. McCoy had indicated that the applicant had gone to the ZBA to discuss parking. Mr. McCoy said that it was his understanding that the ZBA had waived the parking requirements. The plan that was presented at the ZBA displayed the driveway with two parking spaces in the back and one out front. The ZBA wanted the parking space in the front eliminated, which has been done. Mr. McCoy said that he had included the ZBA approval along with his most recent response letter because the Engineering Department did not receive a copy of that decision.

Mr. McCoy was asked why there was so much concern about drainage at a two family house. Mr. McCoy said that his firm was somewhat surprised that the Engineering

Department requested this type of drainage plan, also. The Department was very adamant about wanting the drainage plan done. So, the soil testing was done and a system was designed for the criteria for a two family. The criteria for a two family is slightly higher than it is for a single family, but it was easily met since it was a very small system.

Commissioner Phillips asked about the fact that Engineering report stated that the proposed driveway did not appear to meet City standards at the sidewalk area. Mr. McCoy said that the staff member was concerned that it did not look enough like a driveway. He said that he made the adjustment to the driveway as requested. Discussion followed about the measurements for the driveway apron and the sidewalk.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the matter. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak in opposition to the matter. Hearing none, he closed the public hearing on 110 Broadway.

NEW BUSINESS

(16-02) Summit Place – Petition of Green and Gross, P.C. – Requesting under Sec. 8-24 of the Connecticut General Statute, a favorable recommendation to the City of Bridgeport Public Safety and Transportation Committee for a discontinuance of the paper street known as Summit Place (abutting 245 Alba Ave. and 215 Alba Ave (aka 22 Summit Place) in an R-A zone.

Mr. David Kooris, the Director of the Office of Planning and Economic Development came forward. He said that he would be presenting since the department was involved in all aspect of paper street and he would be presenting this item to the City Council. There are many paper streets throughout the City that have never been developed. There is a cluster of them up around Reservoir and the topography is difficult. There are also areas by Trumbull Gardens and by Home Depot where there are challenges that make putting in a street difficult, such as wetlands or steep topography. The Department has been reviewing these various proposed streets systematically and requesting discontinuation where possible. Often these request are prompted by private parties who have issues.

He went on to describe the location and stated that it was not an existing street, but only paper. Previously, there was a sign off by both the Engineering Department and the Building Department about a house that was partially constructed on the paper street. This has resulted in many issues for the home owner. From the city's perspective, there is no purpose for this street and therefore the department is supportive of the discontinuance of the street. From a Planning perspective, this is an area of the City where there is adequate access, and ample pedestrian connectivity. This street does not detract from the City's ability to meet the transportation and development needs of that neighborhood.

One of the Commissioners said that he was very familiar with the area involved. He wanted to know why the development never happened. Mr. Kooris explained that one reason that the streets hadn't been developed was because of the topographical challenges and the blasting that would be involved. After it is discontinued by the P&Z, the 8-24 will be presented to the City Council. There will be an assessment of benefits and damages along with several other approvals from various departments and committees as to whether or not there would be an undue hardship created for any property owners. Mr. Kooris said that the department did not believe that there would be any properties that would become isolated or not have other street frontage.

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

Atty. Linda Lasky, of Green and Gross, came forward and said that her firm had submitted the petition to discontinue the street. She said that Mr. Kooris had summarized the issues and her firm's position very well. She just wished to respond to one issue which is what happens to land owners that may be affected. She said that by CT law, it was clear that when a paper street is formally discontinued, any property owner abutting that paper street continues to have a private easement.

One of the Commissioners asked about the building that was on the property. Ms. Lasky explained that there was a partially constructed house that encroaches on the paper street by about 7 feet into the right of way. She reviewed the property owners rights and said that the building that was constructed by permit was done some years ago. Ms. Lasky's client purchased the house on reliance on the previously issues building permits and a map that the new owner believed had been filed and approved. However now the building owner now has a house that partially encroaches on a possible right of way. She added that it is not totally clear that the City does have a present right of way. The City records don't show any records of this having been previously approved since it was recommended in 1917. The area is heavily wooded, rocky and steep. The building was constructed there over 20 years ago and the owners can not get a Certificate of Occupancy. The new owners are immigrants and have limited English skills. She requested the Commissioners take these facts into consideration.

Mr. Kooris came forward and stated that the paper street did not actually connected to Alba Street, but fell short of it. This parcel is located at the end of what would be a dead end street. He said that there was the possibility of the portion of the paper street that was encroached by this building being disconnected, but not the entire paper street.

Commissioner Riley asked if there was anyone present who wished to speak in opposition to the matter. Hearing none, he closed the public hearing on the 8-24 referral on Summit Place (abutting 245 Alba Ave. and 215 Alba Ave (aka 22 Summit Place).

**(16-03) Text Amendment – Petition of Willinger, Willinger & Bucci, P.C. – Seeking to amend Section 12-10a and Section 12-10b of the Zoning Regulations of the City of Bridgeport to reduce the requirement of the 1500 feet rule to a distance of 750 feet from a house of worship, school, daycare center, or another package store.
(Deferred to 02/29/16)**

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

Atty. Franklin Perry, an associate from Brown Rudnick, LLP in Hartford, came forward and introduced himself to the Commissioners. He said that he was present to represent Dattco, Inc. and was accompanied by Dwayne Pierson, the Dattco Facilities Manager and Joseph Coatespode, Sr., the site engineer. He explained that Dattco recently acquired a contract with Sacred Heart University. Due to the increase in service, they are submitting a plan to add an additional diesel gas tank at the facility. There will be no change to existing environmental impacts and the additional will be in compliance with 14-2-3b for site plan review and 14-3 for Coastal Site Plan review.

Mr. Coatespode came forward and introduced himself. He stated that his firm was licensed land surveyors and planners in the State of Connecticut. He said that the proposal was a very simple one. Copies of the plan were distributed to the Commissioners showing Dattco’s property. The area being discussed is a concrete pad that is 16’ x 40’ or 600 sq. ft. concrete pad. The 6,000 gallon tank will be located on the tank to store fuel for that buses that Dattco uses. The parcel is in an I-L zone that has been used for a number of years for fuel storage. There will be a total of three tanks. A light industrial zone permits this use.

Mr. Coatespode went on to speak about the safety design of the tank, which is a vaulted tank with 8” of concrete and uses two seamless stainless tanks.

The site is near the Pequonnock River. Mr. Coatespode then reviewed the CAM application and noted that the property is in a 100 year flood zone. In the event of a flood, a portion of the property will be flooded by approximately 1 foot of water. There will be no change to the grade of the land. The tank will be on grade and will not diminish any of the CAM flood area. Mr. Coatespode informed the Commissioners that the actual building is outside of the flood area.

In conclusion, he said that this proposal will protect the environment. The tank is quite safe, there will be no infill added to the site or changes on the site. Nothing will be connected into the sanitary sewers. The site will remain as is with the exception of the concrete pad and the tank. It complies with all the CAM requirements.

A question was asked if the City engineer had any comments or report. Mr. Coatespode said that the WPCA report was included. Commissioner Morton said that there was a concern about the elevation of the tank being at the 24.6 foot level or higher. He asked for the elevation of the tank. Mr. Coatespode said that the tank would be above the flood hazard zone. He went on to explained that the slab would be at grade and the tank would be installed on a stand.

A question was asked if the current tanks were anchored to the pad. Mr. Dwayne Pierson, the facilities manager, came forward to state the tanks were anchored. The current tanks are double walled. The new tank is a different design. The current tanks are designed strictly for diesel and are flame shielded rather than flame guarded. Flame guarded tanks are designed for gasoline or diesel and have a ballistics rating among other safety features. Mr. Pierson then reviewed the details of the tank construction and the fuel dispensing system with the Commissioners.

The discussion then moved to the details of fire prevention requirements and security of the site. Mr. Pierson reviewed the details regarding the monitored gate and the fencing around the property. A discussion followed about the details of the security. Mr. Pierson said that the site had previously been owned by the State and was an emissions inspection site. The site is operational 24 hours a day.

It was noted that there was no letter from Mr. John Gaucher from Coastal Area Management. Commissioner Riley said that the hearing would have to be continued until they received a letter from Mr. Gaucher regarding this application. Mr. Coatespode said that he was not aware that this was needed. He asked if the plans were forwarded to Mr. Gaucher. Commissioner Riley said that they were. Mr. Coatespode said that he would contact Mr. Gaucher about this.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the matter. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak in opposition to the matter. Hearing none, Commissioner Riley stated that this matter would be continued at the next Planning and Zoning meeting on February 29, 2016.

(16-05) 1945 Commerce Dr. – Petition of Brentwood Extension, LLC – Seeking a special permit and a site plan review to permit the installation of two (2) digital billboard sign faces in place of the existing static sign faces in an MU-LI zone.

Mr. Bruce Barrett, the property owner and the President of Barrett Communications and Brentwood Extension LLC, came forward to address the Commissioners. He said that nothing would be changing on the site except for how the sign is illuminated. The property was purchased two years ago. The billboard will remain as it is: the same height, the same size. The warehouse will remain as it is. He displayed photographs of the billboard from the highway of what it will look like. The vinyl covered wood panels

that are there currently would be replaced with electronic panels. The superstructure would not change, nor would the square footage. The electronic surface would allow the company to change the advertising.

He then reviewed the parcel location by the railroad tracks and within view of I-95, along with the various zoning districts. There are no residence around the area and the sign can not be seen from a residence.

Mr. Barrett then submitted a copy of a letter from the City Planning staff which contains the requirements for site plan review. He reminded everyone that this site had been approved a year and a half ago by the Commission.

Mr. Barrett was asked if this electronic sign would be changing every 10 seconds or remain static. He replied that it would depend on the advertiser. The brightness and change rate were controlled by regulation. It can not be changed more than once every 8 seconds. The industry standard currently is once every 10 seconds. The plan is to change it every 10 seconds unless there is an advertiser who would like to be up there for a longer period of time. He mentioned that the Brew Club would be one of the advertisers.

Mr. Barrett was then asked what the timetable was for the Brew Club. He replied that the mechanicals had just been completed and that the General Contractor was hoping to start on the site within the next two weeks. The asbestos remediation is complete and the Club is hoping to open in June.

Mr. Barrett said that he had copies of the site plan that was approved a year and a half ago if the Commissioners would like to look at it.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the matter. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak in opposition to the matter. Hearing none, Commissioner Riley closed the hearing on 1945 Commerce Drive.

(16-06) 273 & 279-301 West Ave. – Petition of New Neighborhoods, Inc – Seeking a special permit and a site plan review to permit the construction of a 3-story, 18-unit apartment building in an R-C zone.

Atty. Rizio came forward and introduced himself to the Commissioners. He said that he was representing New Neighborhoods, Inc, which was a collaboration between The Bridgeport Neighborhood Trust and some other groups.

The parcel is a vacant parcel on West Avenue and West Liberty. The parcel is about 28,000 sq. ft. It is in an R-C zone, which permits multi-family residents. He then indicated where this site was located and that it used to be a used car lot years ago. This project will provide 18 units of good housing in an area by the new school.

There will be six one bedroom units, seven two bedroom units and five three bedroom units. Atty. Rizio said that the application had been before the ZBA already for some waivers.

He then gave a brief overview of the waivers and the site plan. The plan has a town house street scape. The single bedroom units will have direct entrances along the street front and the townhouses will be entered from the rear of the building.

One of the variances to maintain the amount of green space was to reduce the parking spaces from 9' x 20' to 9' x 18'. Atty. Rizio pointed out that previously the Commission had changed the size of the parking spaces for parking garages. Most towns have now changed to using 9' x 18' spaces.

One variance had to do with the setback from the street in order to have the entry foyers. The building is back far enough, but the foyers aren't. He indicated where the green space was concentrated. There will be 36% of the lot will be landscaping and the building will occupy the remaining 64%, which is below the maximum of 70%.

The additional parking will be covered and screened due to the elevation. Atty. Rizio then reviewed the details of the site plan with the Commissioners.

Atty. Rizio said that the other variance was for density. He explained that it was one unit per 2,700 sq. ft of land. This project is one unit per 1,576 sq. ft. of land. He displayed the chart that had been submitted to the ZBA showing all the neighboring properties and indicated that it was one of the least dense properties in the neighborhood.

Atty. Rizio said that the applicants believed that this would have a positive impact on the neighborhood. It will provide new housing in a valuable neighborhood and conforms with the regulations and the Master Plan. The South End NRZ is in favor of this. Mr. Kooris from the OPED was present to say that the department was in favor of this project.

He then requested that the Commission grant this application because it was a great project for a derelict parcel and provide some housing with a new school down the street.

Commissioner Riley asked how many of the units would be market value. Atty. Rizio said that 20% of the units would be market value, the balance would be subsidized.

Commissioner Riley asked about the rates and square footage of each one. Atty. Rizio introduced Mr. Tom Arcari, the project architect. Mr. Arcari said that the one bedrooms would be 750 sq. ft. and will be fully ADA accessible. The two bedroom units will be just over 1,000 sq. ft and the three bedrooms will be just under 1,200 sq. ft.

Commissioner Riley asked what the ratio was. Atty. Rizio said there will be six one

bedroom units, seven two bedroom units and five three bedroom units for a grand total of 18. He noted that the 30 parking spaces which were required were present.

A question was asked about recreational area. Mr. Arcari said that the lawn area in the rear could be used for recreational area. There is one portion of the property in the back that will be a rain garden, and there would be an area that would absorb rain fall or storm surge. There is an aggressive planting plan, but this could be reduced if necessary. Atty. Rizio pointed out that he had been in the neighborhood recently and no one else had 30% landscaping. This will be a good way to introduce new housing and provide better spacing in a tightly developed area.

A question was asked about the location of an item on the parcel, which Atty. Rizio indicated on the site plan.

Commissioner Phillips asked if any part of the parcel was located in a flood zone. Mr. Arcari said that he did not believe so. Atty. Rizio said that it would provide a great street scape.

Commissioner Riley asked where the dumpsters would be located. Atty. Rizio indicated their enclosure on the site plan.

Commissioner Phillips asked about the replacement of the asphalt walk with a concrete walk. Mr. Arcari then explained the details of the requirements and said that all the accessible units would be on flat land. Commissioner Phillips asked about the concrete walk and the curbing. Mr. Arcari replied that all of the sidewalks would be poured in place.

Commissioner Walker asked if there were requirements for on site fire hydrants. Mr. Arcari said that there was no requirement for fire hydrants but the applicant had consulted with public safety to insure that emergency vehicles could access the property.

Another question was asked about handicapped accessibility. Atty. Rizio replied that all seven units on the first floor would be ADA accessible. He also indicated where the access would be for the handicapped residents in the rear of the building.

Commissioner Phillips asked if the upper levels had exposed stairways. Atty. Rizio said that this was correct.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the matter. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak in opposition to the matter. Hearing none, Commissioner Riley closed the hearing on 273 & 278 –301 West Avenue.

This concluded the public hearing portion of the meeting.

RECESS.

Commissioner Riley called for a recess. He reconvened the meeting a few minutes later.

DECISION SESSION.

(16-01) Map/Zone Change – Petition of the City of Bridgeport Planning & Zoning Commission – Seeking a map and zone change from I-L to R-CC to encourage mix use and high density development near transit hubs. The subject property is located at 510 Canfield Avenue and further bounded North 216.80’ and West 259.76’ by Ash Creek; East 245’ by block 151, lot 1; South 194.05’ by Canfield Avenue.

**** COMMISSIONER PHILLIPS MOVED TO APPROVE AGENDA ITEM (16-01) MAP/ZONE CHANGE – PETITION OF THE CITY OF BRIDGEPORT PLANNING & ZONING COMMISSION – SEEKING A MAP AND ZONE CHANGE FROM I-L TO R-CC TO ENCOURAGE MIX USE AND HIGH DENSITY DEVELOPMENT NEAR TRANSIT HUBS. THE SUBJECT PROPERTY IS LOCATED AT 510 CANFIELD AVENUE AND FURTHER BOUNDED NORTH 216.80’ AND WEST 259.76’ BY ASH CREEK; EAST 245’ BY BLOCK 151, LOT 1; SOUTH 194.05’ BY CANFIELD AVENUE WITH THE EFFECTIVE DATE OF MONDAY, FEBRUARY 1, 2016.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

C-1 (15-71) 110 Broadway – Petition of RMVA-NY Properties, LLC – Seeking a site plan review to permit the construction of a 2-family dwelling in a R-A zone.

**** COMMISSIONER PHILLIPS MOVED TO APPROVE AGENDA ITEM C-1 (15-71) 110 BROADWAY – PETITION OF RMVA-NY PROPERTIES, LLC – SEEKING A SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 2-FAMILY DWELLING IN A R-A ZONE WITH THE FOLLOWING CONDITION:**

THE PETITIONER IS TO COMPLY WITH ALL OF THE CONDITIONS FROM THE ZONING BOARD OF APPEALS’ HEARING HELD ON AUGUST 11, 2015

FOR THE FOLLOWING REASON:

THE PROJECT AS APPROVED COMPLIES WITH THE SITE PLAN REVIEW STANDARDS OF SEC. 14-2-5.

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(16-02) Summit Place – Petition of Green and Gross, P.C. – Requesting under Sec. 8-24 of the Connecticut General Statute, a favorable recommendation to the City of Bridgeport Public Safety and Transportation Committee for a discontinuance of the paper street known as Summit Place (abutting 245 Alba Ave. and 215 Alba Ave (aka 22 Summit Place) in an R-A zone.

**** COMMISSIONER PHILLIPS MADE A FAVORABLE RECOMMENDATION REGARDING AGENDA ITEM (16-02) SUMMIT PLACE – PETITION OF GREEN AND GROSS, P.C. – REQUESTING UNDER SEC. 8-24 OF THE CONNECTICUT GENERAL STATUTE, A FAVORABLE RECOMMENDATION TO THE CITY OF BRIDGEPORT PUBLIC SAFETY AND TRANSPORTATION COMMITTEE FOR A DISCONTINUANCE OF THE PAPER STREET KNOWN AS SUMMIT PLACE (ABUTTING 245 ALBA AVE. AND 215 ALBA AVE (AKA 22 SUMMIT PLACE) IN AN R-A ZONE.**

**** COMMISSIONER WALKER SECONDED.**

**** THE MOTION PASSED WITH SIX IN FAVOR (RILEY, PHILLIPS, FILOTEI, WALKER, RODRÍGUEZ AND MORENO) AND ONE ABSTENTION (WALKER).**

(16-03) Text Amendment – Petition of Willinger, Willinger & Bucci, P.C. – Seeking to amend Section 12-10a and Section 12-10b of the Zoning Regulations of the City of Bridgeport to reduce the requirement of the 1500 feet rule to a distance of 750 feet from a house of worship, school, daycare center, or another package store. (Deferred to 02/29/16)

**** COMMISSIONER PHILLIPS MOVED TO DEFER THIS ITEM TO FEBRUARY 29, 2016.**

**** COMMISSIONER FILOTEI SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Commissioner Riley asked Atty. Schmidt for additional information on State laws that supercede Bridgeport's laws. Atty. Schmidt pointed out that they would not be voting on this item at the meeting. He suggested that if any of the Commissioners had any questions, they could contact him between the meetings. The danger of answering in a short space of time is that there are general rules that were in existence for decades. He said that there was an existing practice and when the legislation was put into place, the industry already existed. In some towns there were no package stores, in others, there were numerous liquor outlets. Because of this, it is difficult to generalize. He added that often the location was driven by market forces. While the vast majority of the towns follow the rules, there are also exceptions. Some of those exceptions pre-date the statute while others evolved over time. The State keeps track of how many establishments are in

every town and has a set number reserved for that town based on population. As long as the town remains below their preset quote, the State will accept it. In addition to that, the municipalities can come up with their own priorities. There are some hard rules but also there are others that can be flexible. The answers to particular questions have to be done on a case by case basis. Discussion followed.

Commissioner Phillips asked if the Commissioners could get a draft of what the Commission could actually do. She wanted more clarification about establishments such as restaurants being close to daycares and schools. She also wanted to know about how it would affect other establishments. Atty. Schmidt encouraged her to contact him directly.

One of the Commissioners suggested that perhaps the Commission could take a deeper look at this issue over a period of time such as six months or a year. Discussions followed about examples such as Fairfield Avenue where there were restaurants side by side and churches just down the street. Atty. Schmidt pointed out that these were existing establishments.

The discussion moved to the Downtown District. Atty. Schmidt explained that liquor was a key factors in a restaurant's success, but also added that location was another key factor. By studying the current situation, the Commission could get a better idea of how it was working. Discussion followed about the various different towns and the neighborhoods in Bridgeport.

Commissioner Riley cautioned the Commissioners against over-reacting. He pointed out that there was one applicant wanting to change the regulations rather than a line of applicants. Commissioner Phillips said that she was not sure that the Commission had the right to change a State statute. Atty. Schmidt said that the existing regulations were well drafted, but before the Commission changed them, they should be very sure of what they were doing. Commissioner Phillips said that she wanted to know if the Commission could change them because they were a State statute. She said that she believed that if they wanted to change a State law, they would have to bring it before the State Legislature.

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

**** COMMISSIONER MORTON MOVED TO DEFER AGENDA ITEM (16-04)
44 RIVER ST. – PETITION OF DATTCO, INC – SEEKING A SITE PLAN
REVIEW AND A COASTAL SITE PLAN REVIEW TO PERMIT THE
CONSTRUCTION OF A 15' X 40' CONCRETE SLAB AND THE PLACEMENT
OF A 6,000 GALLON DIESEL FUEL TANK IN THE EXISTING BUS GARAGE**

AND REPAIR FACILITY IN AN I-L ZONE AND COASTAL AREA TO
FEBRUARY 29, 2016.

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

(16-05) 1945 Commerce Dr. – Petition of Brentwood Extension, LLC – Seeking a special permit and a site plan review to permit the installation of two (2) digital billboard sign faces in place of the existing static sign faces in an MU-LI zone

**** COMMISSIONER PHILLIPS MOVED TO APPROVE AGENDA ITEM (16-05) 1945 COMMERCE DR. – PETITION OF BRENTWOOD EXTENSION, LLC – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE INSTALLATION OF TWO (2) DIGITAL BILLBOARD SIGN FACES IN PLACE OF THE EXISTING STATIC SIGN FACES IN AN MU-LI ZONE FOR THE FOLLOWING REASONS:**

1. THE PYLON SIGN CURRENTLY EXISTS AT THIS LOCATION.
2. THE PROJECT AS PRESENTED AND APPROVED COMPLIES WITH THE SITE PLAN REVIEW STANDARDS OF SEC. 14-2-5, AS WELL AS THE SPECIAL PERMIT STANDARDS OF SEC. 14-4-4.

THE EXPIRATION DATE OF THE SPECIAL PERMIT APPROVAL, AS REQUIRED UNDER SEC. 14-4-5 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT HAS BEEN ESTABLISHED AS 02/01/17.

**** COMMISSIONER RODRÍGUEZ SECONDED.**

Commissioner Riley asked Atty. Schmidt about the fact that a static sign would be used for business identification purposes, but an electronic sign that was changeable could be used for other purposes. Commissioner Phillips pointed out that it was a free standing sign. Mr. Buckley clarified that it was a free standing pylon sign.

**** THE MOTION PASSED UNANIMOUSLY.**

(16-06) 273 & 279-301 West Ave. – Petition of New Neighborhoods, Inc – Seeking a special permit and a site plan review to permit the construction of a 3-story, 18-unit apartment building in an R-C zone.

**** COMMISSIONER RODRÍGUEZ MOVED TO APPROVE AGENDA ITEM (16-06) 273 & 279-301 WEST AVE. – PETITION OF NEW NEIGHBORHOODS, INC – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO**

PERMIT THE CONSTRUCTION OF A 3-STORY, 18-UNIT APARTMENT BUILDING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:

- 1. THE GREEN AREA SHALL HAVE SOME PICNIC TABLES FOR THE USE OF THE OCCUPANTS OF THE BUILDING.**
- 2. THE PETITIONER IS TO INCORPORATE ALL OF THE RECOMMENDATIONS OF THE CITY ENGINEER IN HIS REPORT DATED 01/04/16.**
- 3. SANITARY AND STORM DRAINAGE SYSTEMS SHALL BE INSTALLED IN COMPLIANCE WITH THE WPCA REGULATIONS.**

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT AS PRESENTED AND APPROVED COMPLIES WITH THE SITE PLAN REVIEW STANDARDS OF SEC. 14-2-5, AS WELL AS THE SPECIAL PERMIT STANDARDS OF SEC. 14-4-4.**

The expiration date of the Special Permit approval, as required under Sec. 14-4-5 of the Zoning Regulations of the City of Bridgeport, CT has been established as 02/01/17.

**** COMMISSIONER MORENO SECONDED.**

Commissioner Phillips said that she thought this was a very good project and located in an area of the City where it was sorely needed.

Commissioner Riley said that he would like to note that because Mr. Kooris was not available, the Commission did not hear from the NRZ.

**** THE MOTION PASSED UNANIMOUSLY.**

CONSENT AGENDA

CA-1 1380 Seaview Ave. – Petition of Mia’s Motors, LLC – Seeking to waive the public hearing requirement and grant under Sec. 14-54 of the CT. General Statutes an amended certificate of approval of location for a DMV used car dealer’s license under new ownership and continue the display, sale and repair of used motor vehicles in an R-C zone and coastal area.

Commissioner Phillips removed the item from the Consent Agenda for the purposes of discussion. A discussion followed regarding the details of the application.

**** COMMISSIONER PHILLIPS MOVED TO DENY CA-1 1380 SEAVIEW AVE. – PETITION OF MIA’S MOTORS, LLC – SEEKING TO WAIVE THE PUBLIC HEARING REQUIREMENT AND GRANT UNDER SEC. 14-54 OF THE CT. GENERAL STATUTES AN AMENDED CERTIFICATE OF APPROVAL OF LOCATION FOR A DMV USED CAR DEALER’S LICENSE UNDER NEW OWNERSHIP AND CONTINUE THE DISPLAY, SALE AND REPAIR OF USED MOTOR VEHICLES IN AN R-C ZONE AND COASTAL AREA AND THEREFORE THE OPERATOR(S) OF THE FACILITY (OR THEIR REPRESENTATIVE) SHALL APPEAR AT THE NEXT PUBLIC HEARING ON MONDAY, FEBRUARY 29, 2016.**

**** COMMISSIONER FILOTEI SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE COMMISSION

There were no additional matters to discuss at this time.

APPROVAL OF MINUTES

Minutes of October 14, 2015 – Present: Acting Chair, Melville Riley. Commissioners: Robert Morton, Robert Filotei, Edgar Rodriguez, Rosa J. Correa, and Thomas Fedele; Staff: Dennis Buckley Zoning Official; Diego Guevarra, Design Review Coordinator; Assistant City Attorney, Edmund Schmidt.

These were tabled to the next meeting as only four Commissioners were present.

Minutes of October 26, 2015 – Present: Acting Chair, Melville Riley. Commissioners: Robert Filotei, Edgar Rodriguez, Carlos Moreno, Reginald Walker, Barbara Freddino and Thomas Fedele; Staff: Dennis Buckley, Zoning Official; Diego Guevarra, Design Review Coordinator; Assistant City Attorney, Edmund Schmidt.

**** COMMISSIONER WALKER MOVED THE MINUTES OF OCTOBER 26, 2015.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF OCTOBER 26, 2015 AS SUBMITTED PASSED WITH SIX IN FAVOR (RILEY, FILOTEI, RODRÍGUEZ, MORENO, WALKER, AND MORTON) AND ONE ABSTENTION (PHILLIPS).**

ADJOURNMENT.

**** COMMISSIONER PHILLIPS MOVED TO ADJOURN.**

**** COMMISSIONER WALKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:33 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services