



PLANNING AND ZONING COMMISSION
NOVEMBER 1, 2016
MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace, Room
210
Bridgeport, CT 06604
(203) 576-7217 Phone
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ATTENDANCE: Mel Riley, Acting Chair; Anne Pappas Phillips, Acting Secretary;
Robert Filotei, Carlos Moreno, Robert Morton, Tom Fedele

STAFF: Dennis Buckley, Zoning Official; Atty. Russell Liskov, Diego
Guerrero, Design Review Coordinator

CALL TO ORDER.

Commissioner Riley called the meeting to order at 6:52 p.m. A quorum was present.
Commissioner Riley introduced the Commissioners that were seated.

CITY BUSINESS.

Information Presentation – A short presentation by the City of Bridgeport Office of Planning and Economic Development’s (OPED) Planning Director regarding upcoming projects that the Commission should be aware.

Ms. Lynn Haig, the City of Bridgeport Office of Planning and Economic Development’s Planning Director, came forward to speak about projects that were underway in the City. She gave a very brief update on the waterfront project that had been discussed at the previous meeting.

She then introduced Mr. Dean Mack who would speak about the Barnum Railroad Station. He said that it originated as a community planning project to increase jobs and community access. The City has committed to this project and will be providing some funding. He then reviewed how this would be affected by the Transit Orientated Development Plan and described the principals of connectivity, the affect on housing, and issue of affordability as outlined in the presentation document.

Commissioner Phillips asked how much of the project would be city owned property and how much would be privately owned. She said that while it was a wonderful plan and needed in the City, it was difficult to determine who would be owning what. Mr. Mack identified the various parcels on the drawings for her.

Commissioner Phillips asked about the Zoning variations that the project would need. Mr. Mack said that the department would be assembling the various requests into a package for the Commission in the future and that information would be included.

Commissioner Morton asked about the 500 proposed housing units. Ms. Haig explained that the housing projects that were indicated were the larger projects, but that there were smaller, infill projects that would also add more housing units.

Commissioner Filotei asked about the parking situation. Ms. Haig indicated where the parking would be and said in the beginning it would be surface parking but that the long term plan was for a parking garage. She added that many people would prefer to walk to the station rather than drive. She then thanked the Commissioners for their time.

C-1 (16-47)RE: 15 GRANT STREET – Petition of Miriam DeJesus - Seeking a special permit and a site plan review to reestablish a used car dealership and issuance of a used car dealership license in one half (5,000 sq. ft.) of the existing building and reestablish a motor vehicle recycling and disassembly business in the remaining 5,000 sq. ft. of building space in an I-L zone.

Atty. Rizio came forward and distributed photos of the parcel. He said that this was an application to change the use from a vehicle dealership to a motor vehicles recycling and disassembly business. He said that the special uses stay with the land. Motor vehicle applications have to come before the Commission. This parcel had a special permit that was approved and is located in an industrial zone.

Atty. Rizio then distributed copies of some case law. He said that there had been a previous tenant that had been evicted by the owner and the site has been cleaned up. He said that there was never any intent to abandon the use.

Atty. Rizio then distributed copies of previous ZBA decisions. He said that when the tenant does not comply, it makes the tenant subject of enforcement. The parcel has been cleaned up and there are no modifications being made to the parcel. It can not be seen from Seaview Avenue.

Commissioner Riley asked Mr. Buckley to explain why it was not on the consent agenda. Mr. Buckley said that he was familiar with the parcel and that the building had a number uses along with the car repair. When the tenant was evicted, that tenant moved to another city and the license went with him. Mr. Buckley pointed out that the new railroad station project would be located right across the street from the parcel. The disruptive tenant left about two years ago and then the space was rented out to another type of business.

Atty. Rizio said that the Commission could not just strip the parcel of the previous approvals. Commissioner Phillips asked about who the Special Permit applies to. Atty. Rizio said that the permit is issued to the parcel for a particular use. Discussion followed.

Atty. Rizio suggested that this item be referred to the City Attorney for clarification.

He displayed a site plan and indicated where the landscaping was located, the parking was striped as required by the decision rendered in 2007. The previous tenant was in violation with a larger number of vehicles stored on the property, and also had debris all over the parcel. Atty. Rizio said that he understood that the property has been a source of angst, but the owner has evicted the problematic tenant. He said that the client would like to operate as it was previously approved.

Commissioner Riley said that this was a special permit application. He said that the hearing should be continued so that the City Attorney could review the item. It was published as a special application. Atty. Rizio said that he would like to meet with the City Attorney and would discuss this

Mr. Buckley said. That there were two deferments already and that there was a 60 day timeline on this application. Atty. Rizio said that he appreciated the Commission's understanding and repeated that the owner had evicted the problem tenant.

NEW BUSINESS

(16-52) RE: 1671 FAIRFIELD AVENUE – Petition of Edwin Lau d/b/a A+ Auto Service -- Seeking a revised certificate of approval of location to establish a used car dealership and the upgrade of a general repair license to a used car dealership in the existing commercial building in an I-L zone.

The representative for Mr. Lau came forward to greet the Commission. Mr. Buckley asked for the green cards from the mailings. The representative did not have them. Commissioner Riley explained that the hearing could not go forward at this time without the mailing cards and that the item would have to be continued to the next meeting.

(16-51) RE: 1 ATLANTIC STREET – Petition of PSEG Power Connecticut, LLC -- Seeking a site plan review and a coastal site plan review to permit the construction of a combined cycle electric generating unit in I-H and I-L zones and coastal area.

Commissioner Phillips then read the letter from Mr. John Gaucher, from the Office of Long Island Sound Programs, regarding the application. Mr. Gaucher stated that he agreed with the Engineering Department's requirement regarding percolation and draining times.

Mr. Thomas Regan, a representative from PSEG, came forward and introduced himself. He said that the application was solely for a coastal site plan review because the plant itself is under strict regulation by the State of Connecticut. He said that they have already

received comments from the Fire Marshal, the Engineering Department, OLISP and other regulatory offices.

Mr. Geoff Pantazes, the Senior Technical Director, came forward. He said that PSEG was proposing a plant that involves two turbines that are more efficient than the current plant. There will be a significant reduction in storm water; there will be no surface water withdrawal, and the land use will not be changed. PSEG will be raising the site 8 to 10 feet to be in compliance with the 500 year flood levels.

Mr. Pantazes then reviewed the site plans details with the Commissioners. He said that the stack would be shorter than the existing stack because the plant will run primarily on natural gas and have a back up oil fired generator.

Commissioner Phillips asked what part of the 60 acres was waterfront and what was IH and IL. Mr. Pantazes indicated where this was located on the site plan and said that it was all zoned for IH and IL uses. The mixed used waterfront is adjacent to the property at the old Remington parcel.

Commissioner Phillips asked about an underground tunnel. Mr. Pantazes explained that that the item was actually a buried transmission line.

Commissioner Phillips asked about the storm water discharge. Mr. Pantazes indicated on the site plan where the storm water would be collected and gave a brief overview on how it would be discharged.

Commissioner Morton asked why the smoke stack was so much shorter than what was already there. Mr. Pantazes gave a brief summary of the fact that the plant will run primarily on natural gas and have a back up oil fired generator.

Commissioner Riley asked how much cleaner the plant would be. Mr. Pantazes said that the carbon emissions would be cut by about half. He added that while the plant would run on natural gas, they would have oil back up in case natural gas is not available. This is why the stack will be lower.

Commissioner Phillips asked if they knew what the particulate matter that would be released. Mr. Regan pointed out that it would be covered by the other applications, but that they were happy to answer the questions. Another member of the PSEG team came forward to explain but Commissioner Riley pointed out that this was not a hearing on the environmental impacts, but a hearing on the Coastal Site Plan.

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

Rev. Carl McCluster came forward and said he was the senior pastor of the Shiloh Baptist Church. He said that he was familiar with the site and with the plan. He said that the people that he represented were comfortable with the zoning plan for the site. Having efficient production of energy on the site is what the parcel was zoned for. Rev. McCluster said that when something is wrong, the Commission hears from him and they also hear from him when something is right.

Mr. Bill Coleman, from the Office of Planning and Development, came forward to speak in favor of the plan. He said that the department was not unaware of the environmental impacts, but that the only qualifier would be the identification of the mixed use parcels. He pointed out that UB was diagonally across the street and the old Remington site were adjacent. This was not PSEG's problem and suggested that this

Commissioner Riley asked if there was anyone else who was present who wished to speak for. No one came forward. He asked if there was anyone present who wished to speak against.

Mr. George Bruce, from the South End, came forward and said that PSEG has taken upon themselves to present this as if it had been presented to the residents. He said that he lives on the street and didn't hear about a meeting. Mr. Bruce said Rev. McCluster does not live in Bridgeport, his church is in Bridgeport, but Rev. McCluster doesn't live here. Mr. Bruce said that PSEG thinks that the black and Puerto Rican are stupid. He said that the NRZ was deceived and said that Pastor McCluster should stay in his own town.

Commissioner Riley asked if there was anyone else present who wished to speak against the proposal. No one came forward.

Mr. Regan from PSEG came forward and said that this was a site plan and has been reviewed by the appropriate departments.

Mr. Dennis Sullivan came forward and claimed that he had not been given the opportunity to speak. Commissioner Riley said that he had already closed that portion of the hearing. He then consulted with Atty. Liskov and the decision was made to re-open the public comment portion.

Commissioner Riley asked if there was anyone else present who wished to speak against.

Mr. Dennis Sullivan asked if anyone has if they had looked at the wetlands. Commissioner Riley pointed out that it was a coastal area, not a wetland. He added that there was a letter from the Office of the Long Island Sound that had been read into the record earlier in the meeting.

Mr. Sullivan asked for clarification. Commissioner Riley said that they were not here to debate. Mr. Buckley, the Zoning Director, came forward and said that there were two

different type of wetlands; coastal wetlands and inland wetlands. Mr. Sullivan thanked him for the clarification.

Ms. Sarah Lewis of Main Street came forward to encourage the Commission to read over the agreements. She asked about remediation and how this would affect the neighborhood in terms of construction and noise pollution.

Mr. Gloria Brown came forward and said that PSEG had not been truthful to the Commission. She said that they did not have the signatures on the green cards. If something else goes wrong it is the Commission's hands now.

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

Mr. Regan came forward to conclude his remarks and said that he had provided Mr. Buckley with copies of the green cards at an earlier hearing. The Connecticut Siting Council has approved this plan. The Planning and Zoning Commission has jurisdiction over the coastal site plan.

Commissioner Riley then closed the public hearing on 1 Atlantic Street.

(16-53)RE: TEXT AMENDMENT – Petition of Council Of Churches of Greater Bridgeport -- Seeking to amend Article 2 (definitions) and Table 6.4.5 which would let individual religious institutions obtain a special permit allowing them to rent/lease their kitchen facilities to small, local food based entrepreneurs.

Commissioner Morton recused himself.

Atty. Joel Green of Green and Gross came forward to represent the applicants. Commissioner Riley then explained to Atty. Green that in order to pass, the application would need a unanimous vote of all five commissioners still seated. Atty. Green requested that the matter be deferred to the next meeting.

(16-54) RE: 35 – 69 BENHAM AVENUE – Petition of Benham Avenue. LLC -- Seeking an adaptive reuse under Sec. 12-15 and a special permit and a site plan review to permit the conversion of the existing industrial building into a mixed-use building having light industrial and warehousing on the 1st floor and 36 residential units on the 2nd floor in an R-B zone.

Commissioner Morton rejoined the meeting.

Mr. Buckley stated that the Commission had received a letter requesting this item be deferred to November 28, 2016

RECESS.

A recess was called at 8:20 p.m. Commissioner Riley reconvened the meeting at 8:25 p.m.

DECISION SESSION

C-1 (16-47)RE: 15 GRANT STREET – Petition of Miriam DeJesus - Seeking a special permit and a site plan review to reestablish a used car dealership and issuance of a used car dealership license in one half (5,000 sq. ft.) of the existing building and reestablish a motor vehicle recycling and disassembly business in the remaining 5,000 sq. ft. of building space in an I-L zone.

**** COMMISSIONER PHILLIPS MOVED TO CONTINUE APPLICATION C-1 (16-47) RE: 15 GRANT STREET – PETITION OF MIRIAM DEJESUS - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO REESTABLISH A USED CAR DEALERSHIP AND ISSUANCE OF A USED CAR DEALERSHIP LICENSE IN ONE HALF (5,000 SQ. FT.) OF THE EXISTING BUILDING AND REESTABLISH A MOTOR VEHICLE RECYCLING AND DISASSEMBLY BUSINESS IN THE REMAINING 5,000 SQ. FT. OF BUILDING SPACE IN AN I-L ZONE TO NOVEMBER 28, 2016.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(16-52) RE: 1671 FAIRFIELD AVENUE – Petition of Edwin Lau d/b/a A+ Auto Service -- Seeking a revised certificate of approval of location to establish a used car dealership and the upgrade of a general repair license to a used car dealership in the existing commercial building in an I-L zone.

**** COMMISSIONER MORTON MOVED TO DEFER APPLICATION (16-52) 1671 FAIRFIELD AVENUE – PETITION OF EDWIN LAU D/B/A A+ AUTO SERVICE -- SEEKING A REVISED CERTIFICATE OF APPROVAL OF LOCATION TO ESTABLISH A USED CAR DEALERSHIP AND THE UPGRADE OF A GENERAL REPAIR LICENSE TO A USED CAR DEALERSHIP IN THE EXISTING COMMERCIAL BUILDING IN AN I-L ZONE TO NOVEMBER 28, 2016.**

**** COMMISSIONER PHILLIPS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(16-51)RE: 1 ATLANTIC STREET – Petition of PSEG Power Connecticut, LLC -- Seeking a site plan review and a coastal site plan review to permit the construction of a combined cycle electric generating unit in I-H and I-L zones and coastal area.

**** COMMISSIONER MORTON MOVED TO APPROVE APPLICATION (16-51) RE: 1 ATLANTIC STREET – PETITION OF PSEG POWER CONNECTICUT,**

LLC --SEEKING A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A COMBINED CYCLE ELECTRIC GENERATING UNIT IN I-H AND I-L ZONES AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:

- 1. PETITIONER MUST INCORPORATE ALL OF THE CITY ENGINEER'S RECOMMENDATIONS AS STATED IN HIS LETTER DATED OCTOBER 27, 2016.**
- 2. PERCOLATION TEST MUST BE PERFORMED TO ENSURE PROPER INFILTRATION TO MEET THE CRITERIA FOR DRAIN TIMES AS RECOMMENDED BY THE ENVIRONMENTAL ANALYST FROM THE OFFICE OF LONG ISLAND SOUND PROGRAMS IN HIS CORRESPONDENCE DATED NOVEMBER 1, 2016.**
- 3. APPLICANT SHALL FILE PLANS AND APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 4. ALL CONSTRUCTION SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.**

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT AS APPROVED COMPLIES WITH THE SITE PLAN REVIEW STANDARDS OF SEC. 14-2-5.**
- 2. THE REDEVELOPMENT OF THE SUBJECT SITE WILL HAVE NO UNACCEPTABLE IMPACT ON THE COASTAL AREA**
- 3. CHANGING TO NATURAL GAS WILL ENSURE THE CARBON FOOTPRINT RESULTS IN HEALTHIER AIR QUALITY FOR BRIDGEPORT RESIDENTS.**

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 NOVEMBER 7, 2017.

**** COMMISSIONER PHILLIPS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(16-53)RE: TEXT AMENDMENT – Petition of Council Of Churches of Greater Bridgeport -- Seeking to amend Article 2 (definitions) and Table 6.4.5 which would

let individual religious institutions obtain a special permit allowing them to rent/lease their kitchen facilities to small, local food based entrepreneurs.

**** COMMISSIONER PHILLIPS MOVED TO DEFER APPLICATION (16-53)
RE: TEXT AMENDMENT – PETITION OF COUNCIL OF CHURCHES OF
GREATER BRIDGEPORT -- SEEKING TO AMEND ARTICLE 2
(DEFINITIONS) AND TABLE 6.4.5, WHICH WOULD LET INDIVIDUAL
RELIGIOUS INSTITUTIONS OBTAIN A SPECIAL PERMIT ALLOWING
THEM TO RENT/LEASE THEIR KITCHEN FACILITIES TO SMALL, LOCAL
FOOD BASED ENTREPRENEURS TO NOVEMBER 28, 2016.**

**** COMMISSIONER FILOTEI SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY**

(16-54) RE: 35 – 69 BENHAM AVENUE – Petition of Benham Avenue. LLC -- Seeking an adaptive reuse under Sec. 12-15 and a special permit and a site plan review to permit the conversion of the existing industrial building into a mixed-use building having light industrial and warehousing on the 1st floor and 36 residential units on the 2nd floor in an R-B zone.

**** COMMISSIONER PHILLIPS MOVED TO DEFER APPLICATION (16-54)
RE: 35 – 69 BENHAM AVENUE – PETITION OF BENHAM AVENUE. LLC --
SEEKING AN ADAPTIVE REUSE UNDER SEC. 12-15 AND A SPECIAL
PERMIT AND A SITE PLAN REVIEW TO PERMIT THE CONVERSION OF
THE EXISTING INDUSTRIAL BUILDING INTO A MIXED-USE BUILDING
HAVING LIGHT INDUSTRIAL AND WAREHOUSING ON THE 1ST FLOOR
AND 36 RESIDENTIAL UNITS ON THE 2ND FLOOR IN AN R-B ZONE TO
NOVEMBER 28, 2016.**

**** COMMISSIONER FILOTEI SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

**OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE
COMMISSION.**

There were no other additional business matters to come before the Commission at this time.

APPROVAL OF MINUTES.

September 26, 2016 –

Page 3, under 16-50, 317 Mountain Grove St., paragraph 1, line 5, please change the following from: “There are 140 parking spaces, and a separate entrance.” To “There are 140 parking spaces, and a separate entrance shared by six other tenants.”

**** COMMISSIONER FEDELE MOVED TO APPROVE THE MINUTES FOR
SEPTEMBER 26, 2016 AS CORRECTED.
** COMMISSIONER FILOTEI SECONDED.
** THE MOTION TO APPROVE THE MINUTES FOR SEPTEMBER 26, 2016
AS CORRECTED PASSED UNANIMOUSLY.**

ADJOURNMENT.

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

The meeting adjourned at 8:41 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services