

**CITY OF BRIDGEPORT
PLANNING & ZONING COMMISSION
REGULAR MEETING
AUGUST 28, 2017**

ATTENDANCE: Melville Riley, Chair; Tom Fedele; Barbara Freddino; Anne Pappas Phillips; Robert Morton; Arturo Gravina

STAFF: Dennis Buckley, Zoning Official; Russell Liskov, City Attorney

CALL TO ORDER

Chairman Riley called the meeting to order at 6:06 p. m. A quorum was present. He stated that due to a lack of quorum the July 31st public hearing of the Planning & Zoning Commission has been rescheduled and will be followed by the regular scheduled items relative to the following:

RESCHEDULED ITEMS FOR JULY 31, 2017

CITY BUSINESS

(17-40) 8-24 Referral – Petition of Office of Planning & Economic Development (OPED) – Seeking a favorable recommendation for the disposition of 23 City owned properties (327 Carroll Ave; 347-349 Wilmot St; 220 Adams St; 780 Platt St; 277 Robin St; 486-490 Hallett St; 1315-1357, 1340, 1346-1348, 1352-1360 and 1362-1390 Main St; 137-165 Housatonic Ave; 54 Golden Hill St; 771 and 797 Water St; 190-192, 196, 208, 230, 240, 254-260 and 274 Middle St; 30 Gold St).

Mr. Max Perez came forward and stated that the first six properties listed are scattered throughout the city. They will be sold through a public auction. The use of the properties will not change. He stated that the next seventeen properties, which are located downtown, are going to be sold through an RFP. He stated that the RFP went out about six months ago and got four responses. The two theaters are included in the seventeen, which are going to get rehabilitated with a mixed use component.

Mr. Bill Coleman came forward and stated that the LDA ensures that the properties will be sold for fair market value based on appraisal. He stated that it is planned to add a hotel on floors above the theater. He stated that the developer of the theater will go before the Common Council for approval. The developer has restored theaters in New York City and have demonstrated their ability to execute rehabilitation projects.

(17-35) Text Amendment – Petition of Office of Planning & Economic Development (OPED) – Seeking to amend design standards specific to drive through facilities under Sec. 12-5 of the City of Bridgeport Zoning Regulations.

Ms. Lynn Haig came forward and stated that the amendments to design standards for drive through facilities will apply to pharmacies, banks, fast food and other types of drive through operators. She stated that drive throughs should be pedestrian oriented. Landscaping requirements will not be

changed. She stated that the changes apply to new constructions and that existing facilities will be grandfathered.

Attorney Raymond Rizio came forward in opposition to the item. He stated that he represents a client in the fast food industry. He stated that his client believes the changes do not give enough room to drive throughs and multiple windows are not accounted for. The changes will cause back-ups in lines and will not be good for business. He stated that would like the item to be continued in order to give him the opportunity to work with city staff to develop better design standards.

Ms. Haig requested that the item be continued to allow for city staff to work with Attorney Rizio on the design changes.

(17-36) Text Amendment – Petition of Office of Planning & Economic Development (OPED) – Seeking to amend the public access and amenities to all City water bodies under Sec. 11-9 of the City of Bridgeport Zoning Regulations. (WITHDRAWN for revisions)

The item was withdrawn.

NEW BUSINESS

(17-33) 222-224 Bennett St. – Petition of Boys & Girls Village, Inc. – Seeking a zone change from R-B to R-C and also seeking a special permit, site plan review and coastal site plan review for the establishment of a group home for a maximum of six (6) clients with 24-hour supervision.

Attorney Willinger came forward in favor of the item. He stated that the Boys & Girls Village was founded in 1942 and has been in Bridgeport for over twenty years. He stated that his client has been at the Bennett Street location for the past fifteen years and has caused no incidents in the neighborhood. He stated that his client provides vocational training and that there are three business owners in Bridgeport that are graduates of the program. He stated that 46% of all the children served by his client are residents of Bridgeport.

Attorney Willinger stated that his client wishes to convert the existing building into a facility that will serve a maximum of six children 24 hours per day. The children will all be males and between the ages of 14 and 18. The children will have committed minor offences but not yet been convicted. He stated that they will live in a highly structured environment and have nine staff persons helping them.

Attorney Willinger stated that the children will attend school from 7:00 a. m. to 3:00 p. m. He stated that 10:00 p. m. will be lights out. Two supervisors will be in the building overnight and will be awake. The doors are locked overnight with no one able to enter or leave. He stated the children will be staying there for a maximum of six months.

Attorney Willinger stated that there will be no changes to the exterior of the building. The garage will be demolished and maybe a garden will be added. He stated that parking is not an issue. Traffic is not an issue. He stated that there will be six spaces on site and on street parking is available. He stated that approving this zone change will reduce spot zoning, and that the building will only occupy 30% of the lot.

Attorney Willinger stated that the proposal is in harmony with the neighborhood and there will be no adverse impact. He stated that the proposal is consistent with the City Master Plan. He stated that an open house was held and the neighbors that attended are in favor of the proposal.

Commissioner Freddino read into the record a letter of support from Courtney and Matthew Hardel. They stated that the facility will have a positive effect on the neighborhood but that their support does not indicate a support of future spot zoning in the neighborhood.

Mr. Jerry Manning came forward in favor of the item. He stated that he took a tour of the facility and met with the staff. He stated it will improve the neighborhood. He stated that he has concerns about spot zoning, and does not want this proposal to open flood gates.

Commissioner Freddino read into the record a letter of opposition from Mr. Michael Curtain. Mr. Curtain stated that he owns a prosthetic limb business near the proposed location. He stated that he is concerned about the safety of his employees when they arrive in the morning and leave at night. He stated that a day care center is located down the street and opening this facility here does not make sense.

Attorney Rizio came forward in opposition to the item. He stated that the property is an undersized lot of 5,000 square feet. He stated it is inconsistent with the City Master Plan. He stated there is no parking available on the street for the staff, and that according to the plan that was submitted, there is no parking on the location. He stated that the proposal has a negative impact on the health and wellness of the neighborhood. He stated it will have a negative impact on property values. Attorney Rizio stated that six months ago, a parking lot was approved next door to this location. The parking lot has not been landscaped and the lot has not been striped. He stated that these were conditions of approval of the parking lot.

Attorney Rizio stated that this location is an alternative incarceration center, which is not permitted in residential zones. He stated it might be considered a halfway house. There is 24 hour supervision, and the children are not allowed to exit and enter over-night.

Ms. Anessa Davis came forward in opposition. She stated that she has lived on Bennett Street for 13 years. She stated that the children will not have anything to do on weekends. She stated that it can be a safety issue to walk at night in the area with the children out on the street.

Mr. Nick Fieori came forward in opposition. He stated that there is not room in the facility for six children and nine staff members. He stated that there is not enough sleeping space. He stated that the basement is prone to flooding and the parking lot is a wreck.

Attorney Willinger came forward with his rebuttal. He stated that the facility will not a halfway house. None of the children will drug users. He stated that the location is a group home. He stated it is not a detention facility and that none of the staff members will be sworn officers.

Attorney Willinger stated that it is not an alternative incarceration center. He stated that the children are placed there before they are convicted. He stated that they are non-violent. He stated that the

children cannot come and go as they please. The doors will be locked at night and the two staff members that stay overnight do not sleep. He stated that the children will not stay at the facility for no more than six months. Attorney Willinger stated that there will be security cameras in the building. He stated that on weekends, the children will utilize the mentoring programs provided across the street.

Attorney Willinger stated that the parking lot next door will be completed in October, and we have three parking spaces located on this lot. He stated there will be no adverse effect on the neighborhood and that 95% of the neighbors are in favor of the proposal. He stated that flooding is not an issue and there will be no new construction.

(17-37) 350 Fairfield Ave. – Petition of Artfx Signs – Seeking a special permit to allow the placement of two (2) 125 sq. ft., on-premises I.D. wall signs on the existing 7-story office building in an DVD-BLVD zone.

Mr. Loren Rosen came forward in favor of the item. He stated that the letter will be illuminated with white light at night. They will be black during the day. He stated they will be over 25 feet in height.

(17-38) 283 Sheridan St. – Petition of Yankee Disc Muffler, Inc. – Seeking a zone change from R-C or OR to establish a parking lot to be used for a proposed (yet to be approved) restaurant.

Attorney Richard Cunningham came forward in favor of the item. He stated that his client wishes to put up a restaurant in the lot next to this one. He stated that using this lot as a parking lot will allow for the right amount of parking. He stated there will be no negative impact on the neighborhood and consistent with the surrounding area.

Chairman Riley stated that the board will need reasons for why this spot zoning should be done. He stated a map of the current zoning in the area and what needs to be changed needs to be provided.

(17-39) 431-437 Carroll Ave. – Petition of Kevin Stennett – Seeking a certificate of approval of location for an auto repair facility and the issuance of a general repairers' motor vehicle license in the existing masonry garage building in an R-B zone.

Mr. Kevin Stennett came forward in favor of the item. He stated that he is the owner of the building. He stated that he is seeking to reestablish the certificate of approval. He stated that his tenant will run the shop. He stated there will be five car bays. Cars will be stored inside at night. There will be no sale of cars. He stated there will be no repairs done outside of the building.

REGULAR SCHEDULED ITEMS FOR AUGUST 28, 2017

(17-41) 455 (aka 507) Trumbull Ave. – T-Mobile Northeast, LLC – Seeking a site plan review to permit the installation of a rooftop telecommunication facility in an RC zone.

Mr. Mark Appleby came forward in favor of the item. He stated that the facility is necessary due to increased data use on phones. He stated that there will be three sectors on the roof with three antennas in each sector. He stated they will be painted to match the pent house facade. He stated the antennas

will be flush with the highest point of the building. He stated that maintenance will be performed once every two months. He stated there will not be a generator, but there will be a battery backup.

CONSENT AGENDA

(CA-1) 101 & 111 Boston Ave. – 101 Boston Avenue, LLC & 111 Boston Avenue, LLC – Seeking a 1-year extension of a coastal site plan review which expired July 5, 2017 regarding the construction of a 2-story commercial/office building.

(CA-2) 567 Seaview Ave. – The Bridgeport & Port Jefferson Steamboat Co, Inc. – Seeking a second 1-year extension of time of an approved coastal site plan review to permit the construction of a ferry terminal & dock, retail/office building and a marine repair facility of which the previous extension is to expire 09/01/17.

(CA-3) 3115, 3129, 3135 Fairfield Ave. & 704 Courtland Ave. – 3115 Fairfield Avenue, LLC – Seeking a third 1-year extension of time of an approved coastal site plan review to permit the construction of a 4-story, 43-unit apartment building of which the current extension is to expire 09/11/17.

No objections were raised to the items on the consent agenda.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE COMMISSION

No other matters were brought forward.

DECISION SESSION

8-24 REFERRAL – Seeking a favorable recommendation for the disposition of 23 City owned properties (327 Carroll Ave; 347-349 Wilmot St; 220 Adams St; 780 Platt St; 277 Robin St; 486-490 Hallett St; 1315-1357, 1340, 1346-1348, 1352-1360 and 1362-1390 Main St; 137-165 Housatonic Ave; 54 Golden Hill St; 771 and 797 Water St; 190-192, 196, 208, 230, 240, 254-260 and 274 Middle St; 30 Gold St).

**** COMMISSIONER FEDELE MOVED TO APPROVE A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL FOR 8-24 REFERRAL – SEEKING A FAVORABLE RECOMMENDATION FOR THE DISPOSITION OF 23 CITY OWNED PROPERTIES (327 CARROLL AVE; 347-349 WILMOT ST; 220 ADAMS ST; 780 PLATT ST; 277 ROBIN ST; 486-490 HALLETT ST; 1315-1357, 1340, 1346-1348, 1352-1360 AND 1362-1390 MAIN ST; 137-165 HOUSATONIC AVE; 54 GOLDEN HILL ST; 771 AND 797 WATER ST; 190-192, 196, 208, 230, 240, 254-260 AND 274 MIDDLE ST; 30 GOLD ST).**

**** COMMISSIONER MORTON SECONDED THE MOTION.**

**** THE MOTION PASSED WITH FOUR VOTES IN FAVOR AND ONE ABSTENTION.**

17-35 RE: TEXT AMENDMENT – Seeking to amend design standards specific to drive through facilities under Sec. 12-5 of the City of Bridgeport Zoning Regulations.

**** COMMISSIONER MORTON MOVED TO CONTINUE 17-35 RE: TEXT AMENDMENT – SEEKING TO AMEND DESIGN STANDARDS SPECIFIC TO DRIVE THROUGH FACILITIES UNDER SEC. 12-5 OF THE CITY OF BRIDGEPORT ZONING REGULATIONS TO MONDAY, SEPTEMBER 25, 2017.**

**** COMMISSIONER PHILLIPS SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

OUR FILE 17-36 RE: TEXT AMENDMENT – – Seeking to amend the public access and amenities to all City water bodies under Sec. 11-9 of the City of Bridgeport Zoning Regulations.

The item was withdrawn.

OUR FILE 17-33 RE: 222 – 224 BENNETT STREET – Seeking a zone change from R-B to R-C and also seeking a special permit, site plan review and coastal site plan review for the establishment of a group home for a maximum of six (6) clients with 24-hour supervision.

**** COMMISSIONER FEDELE MOVED TO CONTINUE OUR FILE 17-33 RE: 222 – 224 BENNETT STREET – SEEKING A ZONE CHANGE FROM R-B TO R-C AND ALSO SEEKING A SPECIAL PERMIT, SITE PLAN REVIEW AND COASTAL SITE PLAN REVIEW FOR THE ESTABLISHMENT OF A GROUP HOME FOR A MAXIMUM OF SIX (6) CLIENTS WITH 24-HOUR SUPERVISION TO MONDAY, SEPTEMBER 25, 2017 FOR THE SOLE PURPOSE OF ALLOWING THE PETITIONER TO HAVE A REPRESENTATIVE FROM THE HAMPTON HOUSE PROGRAMS ADDRESS THE COMMISSION AND ANSWER ANY AND ALL QUESTIONS RELATING TO THIS ORGANIZATION.**

**** COMMISSIONER MORTON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

OUR FILE 17-37 RE: 350 FAIRFIELD AVENUE – Seeking a special permit to allow the placement of two (2) 125 sq. ft. on-premises I.D. wall signs on the existing 7-story office building in an DVD-BLVD zone.

**** COMMISSIONER MORTON MOVED TO APPROVE OUR FILE 17-37 RE: 350 FAIRFIELD AVENUE – SEEKING A SPECIAL PERMIT TO ALLOW THE PLACEMENT OF TWO (2) 125 SQ. FT. ON-PREMISES I.D. WALL SIGNS ON THE EXISTING 7-STORY OFFICE BUILDING IN AN DVD-BLVD ZONE WITH THE FOLLOWING CONDITIONS: THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

FOR THE FOLLOWING REASON:

THE PROJECT AS APPROVED COMPLIES WITH 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 SEPTEMBER 4, 2018.

**** COMMISSIONER PHILLIPS SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

OUR FILE 17-38 RE: 283 SHERIDAN STREET – Seeking a zone change from R-C or OR to establish a parking lot to be used for a proposed (yet to be approved) restaurant.

**** COMMISSIONER PHILLIPS MOVED TO CONTINUE OUR FILE 17-38 RE: 283 SHERIDAN STREET – SEEKING A ZONE CHANGE FROM R-C OR OR TO ESTABLISH A PARKING LOT TO BE USED FOR A PROPOSED (YET TO BE APPROVED) RESTAURANT TO MONDAY, SEPTEMBER 25, 2017. THE COMMISSIONERS WANT THE PETITIONER TO PROVIDE A MAP OF THE SUBJECT AREA, SHOWING PROPERTIES WITHIN 100 FEET. THE MAP IS TO BE COLORIZED TO HELP IDENTIFY THE DIFFERENT ZONES WITHIN THE 100 FEET RADIUS.**

**** COMMISSIONER MORTON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

OUR FILE 17-39 RE: 431 – 437 CARROLL AVENUE – Seeking a certificate of approval of location for an auto repair facility and the issuance of a general repairers’ motor vehicle license in the existing masonry garage building in an R-B zone.

**** COMMISSIONER PHILLIPS MOVED TO APPROVE OUR FILE 17-39 RE: 431 – 437 CARROLL AVENUE – SEEKING A CERTIFICATE OF APPROVAL OF LOCATION FOR AN AUTO REPAIR FACILITY AND THE ISSUANCE OF A GENERAL REPAIRERS’ MOTOR VEHICLE LICENSE IN THE EXISTING MASONRY GARAGE BUILDING IN AN R-B ZONE WITH THE FOLLOWING CONDITIONS:**

1. NO CARS SHALL BE DISPLAYED FOR SALE AT ANY TIME.

2. ONLY A MAXIMUM OF FIVE (5) CARS SHALL BE PARKED AWAITING SERVICE ON THE SUBJECT SITE AT ANY TIME.

3. MOTOR VEHICLES CONDITIONS “B”

**** COMMISSIONER MORTON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

OUR FILE (17-41) RE: 455 (aka 507) TRUMBULL AVENUE – Seeking a site plan review to permit the installation of a rooftop telecommunication facility in an RC zone.

**** COMMISSINOER PHILLIPS MOVED TO APPROVE OUR FILE (17-41) RE: 455 (AKA 507) TRUMBULL AVENUE – SEEKING A SITE PLAN REVIEW TO PERMIT THE INSTALLATION OF A ROOFTOP TELECOMMUNICATION FACILITY IN AN RC ZONE WITH THE FOLLOWING CONDITIONS:**

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

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

**** COMMISSIONER MORTON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

OUR FILE CA-1 RE: 101 & 111 BOSTON AVENUE – Seeking a 1-year extension of a coastal site plan review which expired July 5, 2017 regarding the construction of a 2-story commercial/office building.

**** COMMISSIONER MORTON MOVED TO APPROVE OUR FILE CA-1 RE: 101 & 111 BOSTON AVENUE – SEEKING A 1-YEAR EXTENSION OF A COASTAL SITE PLAN REVIEW WHICH EXPIRED JULY 5, 2017 REGARDING THE CONSTRUCTION OF A 2-STORY COMMERCIAL/OFFICE BUILDING. THE NEW EXPIRATION DATE OF THE COASTAL SITE PLAN REVIEW HAS BEEN ESTABLISHED AS AUGUST 7, 2018.**

**** COMMISSIONER PHILLIPS SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

OUR FILE (CA-2) RE: 567 SEAVIEW AVENUE – Seeking a second 1-year extension of time of an approved coastal site plan review of which the previous extension is to expire 09/01/17.

**** COMMISSIONER MORTON MOVED TO APPROVE OUR FILE (CA-2) RE: 567 SEAVIEW AVENUE – SEEKING A SECOND 1-YEAR EXTENSION OF TIME OF AN APPROVED COASTAL SITE PLAN REVIEW OF WHICH THE PREVIOUS EXTENSION IS TO EXPIRE 09/01/17. THE NEW EXPIRATION DATE OF THE COASTAL SITE PLAN REVIEW HAS BEEN ESTABLISHED AS SEPTEMBER 1, 2018.**

**** COMMISSIONER PHILLIPS SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

OUR FILE (CA-3) RE: 3115, 3129, 3135 FAIRFIELD AVENUE & 704 COURTLAND AVENUE – Seeking a third 1-year extension of time of an approved coastal site plan review of which the current extension is to expire 09/11/17.

**** COMMISSIONER MORTON MOVED TO APPROVE OUR FILE (CA-3) RE: 3115, 3129, 3135 FAIRFIELD AVENUE & 704 COURTLAND AVENUE – SEEKING A THIRD 1-YEAR EXTENSION OF TIME OF AN APPROVED COASTAL SITE PLAN REVIEW OF WHICH THE CURRENT EXTENSION IS TO EXPIRE 09/11/17.**

THE NEW EXPIRATION DATE OF THE COASTAL SITE PLAN REVIEW HAS BEEN ESTABLISHED AS SEPTEMBER 11, 2018.

**** COMMISSIONER PHILLIPS SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES

**** COMMISSIONER PHILLIPS MOVED TO APPROVE THE JUNE 26, 2017 MINUTES AS SUBMITTED.**

**** COMMISSIONER MORTON SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

EXECUTIVE SESSION

- ** COMMISSIONER FEDELE MOVED TO GO INTO EXECUTIVE SESSION.**
- ** COMMISSIONER MORTON SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting went into Executive Session at 10:00 p. m. and returned at 10:03 p. m.

VOTE TO APPROVE SETTLEMENT

- ** COMMISSIONER MORTON MOVED TO APPROVE THE SETTLEMENT OF THE UNDERLYING CASE 176061374 SUBJECT TO A REVIEW OF THE LANGUAGE AND APPROVAL AT THE NEXT MEETING OF THE PLANNING AND ZONING BOARD.**
- ** COMMISSIONER PHILLIPS SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Minutes of June 26, 2017 – Present: Acting Chair, Melville Riley. Commissioners: Robert Filotei, Barbara Freddino, Reginald Walker, Carlos Moreno, Robert Morton, Anne Pappas Phillips and Thomas Fedele; Staff: Dennis Buckley, Zoning Official; Zoning Inspector, Daniel Brennan; Associate City Attorney, Russell Liskov.

- ** COMMISSIONER PHILLIPS MOVED TO APPROVE THE JUNE 26, 2017 MINUTES AS SUBMITTED.**
- ** COMMISSIONER MORTON SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

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

The meeting was adjourned at 10:03 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services