

**CITY OF BRIDGEPORT
PLANNING AND ZONING COMMISSION
REGULAR MEETING
OCTOBER 30, 2017**

ATTENDANCE: Melville Riley, Chair; Barbara Freddino; Tom Fedele; Robert Morton; Arturo Gravina; Reginald Walker; Bob Filotei; Carlos Moreno; Robert Morton; Cesar Cordero

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

CALL TO ORDER

Chairman Riley called the meeting to order at 6:40 p. m. A quorum was present.

NEW CITY BUSINESS

(17-55) 8-24 Referral – Petition of Office of Planning & Economic Development (OPED) – Seeking a favorable recommendation regarding the conversion of what is commonly known as Harbor Yard into an outdoor seasonal amphitheater at 500 Main St.

Mr. Bill Coleman came forward in support of the item. He provided a sketch of what the Harbor Yard will look like after completion. He stated that a roof will be installed, and reviewed how the seating on the current baseball field would be arranged. He stated that the City will have a private partner that will be investing in the project. Mr. Coleman stated that there would be about 75 events held each year – 20 to 30 concert events, 10 expo events, and about 30 community events.

CONTINUED BUSINESS

C-3 (17-38) 283 Sheridan St. – Petition of Yankee Disc Muffler, Inc – Seeking a zone change from R-C 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 submitted a map showing the current zoning of the neighborhood. He stated that this lot was previously used as a commercial property. He stated that two vacant lots are across the street from this location.

Atty. Cunningham stated that this lot will be used for parking while the adjacent lot will have a restaurant. He stated that the business will not generate significant traffic on the surrounding streets. It will be good for the development of the City. He stated that the restaurant will seat about 70 people and the parking lot will have about 20 spaces.

DEFERRED BUSINESS

D-1 (17-46) 547 North Ave. – Petition of 547 N Avenue Bridgeport Realty, LLC – Seeking a special permit and a site plan review to legalize the 850 sq. ft. of retail area in the existing gas station in an I-L zone.

This item was deferred.

NEW BUSINESS

(17-50) 28 York St. – Petition of Manuel Moutinho, Trustee for the Mark IV Construction Company, Inc – Seeking a zone change from Residential-B (R-B) to Office Retail (OR) to establish a parking lot for a proposed mixed-use building on the abutting lot located at 2060-2068 East Main St.

Attorney Willinger came forward in favor of the item. He stated that his client owns this lot as well as the abutting lot. The parking lot will have 13 spaces. Atty. Willinger noted that on November 19, 1990, the previous owner was granted a variance and allowed to have 16 parking spots. He stated that this will not be spot zoning. The property is in harmony with the neighborhood and has been used as a parking lot for the past 27 years. He stated that it is consistent with the City's Master Plan.

Ms. Helen Lozak came forward in opposition to the item. She stated that the houses in the area are worth more when in a residential zone. She stated that this is a high traffic area with lots of large trucks using the roads. Apartments being built would increase traffic and cause a rise in the number of accidents. She stated that a family restaurant would be a better use of the lot. Ms. Lozak submitted a neighborhood petition against the item with 32 signatures.

Ms. Catherine Kenny came forward in opposition to the item. She stated that the zoning change would lower her property value.

Mr. Buckley counted six members of the public in opposition to the item.

Atty. Willinger came forward to offer his rebuttal. He stated that property values would not be negatively impacted because the location has been used as a parking lot and will continue to be used as a parking lot.

(17-52) 100 Fairfield Ave. – Petition of Jairo Sandoval – Seeking a special permit and a site plan review to permit the establishment of a cafeteria style restaurant with a café/restaurant beer & wine liquor permit in the DVD-CORE zone.

Atty. Willinger came forward. He stated that Mr. Sandoval did not have the proof of mailings and requested a deferral of the item.

(17-53) 120 Huntington Tpke – Petition of T-Mobile Northeast, LLC – Seeking a special permit and a site plan review to permit the installation of additional antennas and associated telecommunication equipment in an R-C zone.

Ms. Denise Sabo and Mr. Mark Appleby came forward in favor of the item. Ms. Sabo stated that a total of 12 antenna will be placed on the roof with two support cabinets. The antenna will not protrude above the building and will blend in with the façade.

Mr. Appleby stated that increases in phone use has created a need for more antennas. He stated that T-Mobile has an agreement in place with the condo association.

(17-54) 25 Calderwood Ct. – Petition of Dr. Kristine DeMarco – Seeking to establish a home business on the 1st floor of the existing single-family dwelling in an R-B zone.

Dr. DeMarco came forward in favor of the item. She stated that she is seeking to establish a home business on the first floor of the existing single-family house. She submitted signatures of support from 7 neighbors. She stated that she will be using the office for 2.5 days per week. Commissioner Fedele stated that the plans do not include a ramp for handicapped accessibility.

NEW CITY BUSINESS

(17-48) Text Amendment – Petition of Office of Planning & Economic Development (OPED) – Seeking a modification of approval Article 14-12 which was approved 04/24/17 to include additional guidelines for development in the City of Bridgeport.

Ms. Haig came forward in favor of the text amendment. She stated that we are seeking a modification of approval to Article 14-12, which was approved on April 24, 2017. She stated we would like to include additional guidelines for development in the City. She stated with these additional guidelines, we can ask for samples of materials used on exteriors. We will also be able to ask for photos of properties next to and across the street from locations.

(17-49) Text Amendment – Petition of Office of Planning & Economic Development (OPED) – Seeking to amend a portion of the text amendment approved on 05/30/17 regarding the language on height of residential structures in Table 3 to now read: 2 ½ stories, 28 feet to midpoint of highest roof; 35 feet maximum to ridge.

Ms. Haig came forward in support of the item. She stated that we are seeking to amend a portion of the text amendment approved on May 30, 2017. She stated that the amendment returns Table 3 to its original language.

CONTINUED CITY BUSINESS

C-1 (17-44) Text Amendment – Petition of Office of Planning & Economic Development (OPED) – Seeking to establish a comprehensive approach to all establishments serving or selling liquor within the City limits excluding full service restaurants under Sec. 12-10 of the City of Bridgeport Zoning Regulations.

Mr. Kyle Langan came forward in opposition to the item. He stated that the optics of the City spending money on a liquor study while the money could be used for another purpose is not a good look. He stated that liquor stores add to problems of poverty, crime, and systemic racism. Crime in the City is already egregious.

Ms. Aresta Johnson came forward in opposition to the item. She stated that it is unconscionable that children should be made to walk by liquor stores on their way to school. She stated that at all times of day, adults are gathered outside liquor stores in states of drunkenness. There is no need to bring liquor stores closer to school children and staff members. The children should be able to play outside on school playgrounds without there being a risk to their safety.

Mr. Joe Larcheveque came forward in opposition. He stated that safety should be a paramount concern. Liquor stores and violence go together. Underage drinking goes along with liquor stores being closer to schools.

Ms. Maria Pereira came forward in opposition. She stated that the Board of Education is unanimous in opposing this item. She stated that many children walk to school and walking by liquor stores causes a public safety issue. She stated that people in poverty are the least likely to organize against a new liquor store going into their neighborhood.

Ms. Sauda Baraka stated that liquor stores cause problems and we need to protect the students. Alcohol and drug use near schools should not be encouraged.

Ms. Wanda Simmons came forward in opposition. She stated that children walk to school in our neighborhoods. There is no need for liquor stores because they will add to alcohol, crime, and drug use.

Ms. Deborah McNally came forward in opposition to the item. She stated that the lower-income areas can become saturated with liquor stores. Liquor stores will be added to the areas where people are most vulnerable. She stated that comparing Bridgeport to cities such as Norwalk and Bristol are not helpful because they are very different. She stated that State statutes do not allow the City to make the changes that are being proposed. She stated that permits run with the land and not the person. A new owner cannot be asked to get a permit when a business is being sold.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE COMMISSION

CA – 1 – 740 Stratford Avenue & 837 Seaview Avenue – Seeking 1 – year extension of time of an approved coastal site plan to expire 12/05/17 regarding the proposal to construct a retail and commercial development to include a grocery store, retail, restaurants, movie theater, entertainment venues, car was and gasoline station as well as a publicly accessible harbor walk and fishing pier and related parking and site improvements.

Mr. Buckley stated that he sent a letter to applicant notifying them that he approved the one year extension.

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 MORTON MOVED TO APPROVE 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 EFFECTIVE OCTOBER 2, 2017 FOR THE FOLLOWING REASON:

AS THIS APPEARS TO BE A MIXED-USE NEIGHBORHOOD, THE CHANGE OF ZONE FOR THIS PROPERTY IS INCONSEQUENTIAL.

SPECIAL PERMIT, SITE PLAN REVIEW & COASTAL SITE PLAN REVIEW: APPROVED WITH THE FOLLOWING CONDITIONS:

- 1. THE USE OF THE SUBJECT PREMISES IS LIMITED TO SIX (6) JUVENILES PARTICIPATING IN THE HAMILTON PROGRAM RANGING FROM THE AGES OF 14 TO 18 YEARS OLD.**
- 2. THE SUBJECT PREMISES MAY BE UTILIZED AS A GROUP HOME FOR JUVENILES PARTICIPATING IN THE HAMILTON PROGRAM AS LONG AS THE PROPERTY IS OWNED AND SUPERVISED BY THE BOYS & GIRLS VILLAGE AT 170 BENNETT STREET.**
- 3. ANY CHANGE OF USE FOR THIS FACILITY SHALL REQUIRE ADDITIONAL APPROVALS BY THE PLANNING & ZONING COMMISSION.**

FOR THE FOLLOWING REASONS:

- 1. THE PROPOSED USE IS NOT THE SAME USE AS DESCRIBED IN THE STATE OF CT DOCUMENTATION PRESENTED BY THE ATTORNEY REPRESENTING THE OPPOSITION.**
- 2. PROVIDES AN ADDITIONAL PROGRAM FOR THE TROUBLED YOUTH OF THE CITY OF BRIDGEPORT.**
- 3. AS TO THE COASTAL SITE PLAN REVIEW THE PROJECT AS APPROVED SHALL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.**

THE EXPIRATION DATE OF THE SPECIAL PERMIT APPROVAL AS REQUIRED UNDER SEC. 14-4-5 AND THE COASTAL SITE PLAN REVIEW AS REQUIRED UNDER SEC. 14-3-4 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT HAVE BEEN ESTABLISHED AS OCTOBER 2, 2018.

- ** COMMISSIONER FEDELE SECONDED THE MOTION.**
- ** THE MOTION PASSED WITH EIGHT VOTES IN FAVOR AND ONE ABSTENTION (COMMISSIONER CORDERO).**

APPROVAL OF MINUTES

Minutes of September 25, 2017 – Present: Acting Chair, Melville Riley. Commissioners: Robert Morton, Barbara Freddino, Anne Pappas-Phillips, Arturo Gravina-Hernandez and Thomas Fedele; Staff: Dennis Buckley, Zoning Official; Associate City Attorney, Russell Liskov.

- ** COMMISSIONER FILOTEI MOVED TO APPROVE THE SEPTEMBER 25, 2017 MINUTES AS SUBMITTED.**
- ** COMMISSIONER FEDELE SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

DECISION SESSION

C-3 (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 MORENO MOVED TO APPROVE 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 WITH THE EFFECTIVE DATE OF NOVEMBER 6, 2017.**

FOR THE FOLLOWING REASON:

THE ZONE CHANGE IS CONSISTENT WITH THE MASTER PLAN OF CONSERVATION & DEVELOPMENT.

D-1 (17-46) RE: 547 NORTH AVENUE – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO LEGALIZE THE 850 SQ. FT. OF RETAIL AREA IN THE EXISTING GAS STATION IN AN I-L ZONE.

**** COMMISSIONER MORTON MOVED TO DEFER 547 NORTH AVENUE – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO LEGALIZE THE 850 SQ. FT. OF RETAIL AREA IN THE EXISTING GAS STATION IN AN I-L ZONE TO NOVEMBER 27, 2017.**

**** COMMISSIONER FILOTEI SECONDED THE MOTION.**

**** THE MOTION PASSED WITH EIGHT VOTES IN FAVOR AND ONE ABSTENTION (MR. CARDERO.)**

28 YORK STREET – Seeking a zone change from Residential-B (R-B) to Office Retail (OR) to establish a parking lot for a proposed mixed-use building on the abutting lot located at 2060-2068 East Main St.

**** COMMISSIONER FILOTEI MOVED TO APPROVE 28 YORK STREET – SEEKING A ZONE CHANGE FROM RESIDENTIAL-B (R-B) TO OFFICE RETAIL (OR) TO ESTABLISH A PARKING LOT FOR A PROPOSED MIXED-USE BUILDING ON THE ABUTTING LOT LOCATED AT 2060-2068 EAST MAIN ST. WITH THE EFFECTIVE DATE OF NOVEMBER 6, 2017 FOR THE FOLLOWING REASON: THE ZONE CHANGE IS CONSISTENT WITH THE MASTER PLAN OF CONSERVATION & DEVELOPMENT.**

**** COMMISSIONER GRAVINA SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

17-52 100 FAIRFIELD AVENUE – Seeking a special permit and a site plan review to permit the establishment of a cafeteria style restaurant with a café/restaurant beer & wine liquor permit in the DVD-CORE zone.

**** COMMISSIONER GRAVINA MOVED TO APPROVE 100 FAIRFIELD AVENUE – SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A CAFETERIA STYLE RESTAURANT WITH A CAFÉ/RESTAURANT BEER & WINE LIQUOR PERMIT IN THE DVD-CORE ZONE.**

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

**** THE MOTION PASSED UNANIMOUSLY.**

17-53 120 HUNTINGTON TURNPIKE – Seeking a site plan review to permit the installation of additional antennas and associated telecommunication equipment in an R-C zone.

**** COMMISSIONER MORTON MOVED TO APPROVE 120 HUNTINGTON TURNPIKE – SEEKING A SITE PLAN REVIEW TO PERMIT THE INSTALLATION OF ADDITIONAL ANTENNAS AND ASSOCIATED TELECOMMUNICATION EQUIPMENT IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS: APPLICANT SHALL SUBMIT PLANS AN APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

FOR THE FOLLOWING REASON: FACILITATES TELECOMMUNICATION SERVICE TO RESIDENTS OF THE CITY.

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

17-54 25 CALDERWOOD COURT – Seeking a special permit and site plan review to establish a home business on the 1st floor of the existing single-family dwelling in an R-B zone.

**** COMMISSIONER WALKER MOVED TO APPROVE 25 CALDERWOOD COURT – SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO ESTABLISH A HOME BUSINESS ON THE 1ST FLOOR OF THE EXISTING SINGLE-FAMILY DWELLING IN AN R-B ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. ACCESS TO THE BUILDING AS WELL AS THE PROPOSED OFFICE AREA ARE TO BE ADA COMPLIANT.**
- 2. 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 SPECIAL PERMIT STANDARDS OF SEC. 14-4-4 AND THE SITE PLAN REVIEW STANDARDS OF SEC. 14-2-5 OF THE ZONING REGULATIONS.

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 NOVEMBER 6, 2018.

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

C-1 (17-44) TEXT AMENDMENTS – Seeking to establish a comprehensive approach to all establishments serving or selling liquor within the City limits excluding full service restaurants under Sec. 12-10 of the City of Bridgeport Zoning Regulations.

The item was continued to November 27, 2017.

17-48 TEXT AMENDMENTS – Seeking a modification of approval Article 14-12 which was approved 04/24/17 to include additional guidelines for development in the City of Bridgeport.

- ** COMMISSIONER WALKER MOVED TO APPROVE TEXT AMENDMENTS – SEEKING A MODIFICATION OF APPROVAL ARTICLE 14-12 WHICH WAS APPROVED 04/24/17 TO INCLUDE ADDITIONAL GUIDELINES FOR DEVELOPMENT IN THE CITY OF BRIDGEPORT WITH THE EFFECTIVE DATE OF NOVEMBER 6, 2017.**
- ** COMMISSIONER WALKER SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

17-49 TEXT AMENDMENTS – Seeking to amend a portion of the text amendment approved on 05/30/17 regarding the language on height of residential structures in Table 3 to now read: 2 ½ stories, 28 feet to midpoint of highest roof; 35 feet maximum to ridge.

- ** COMMISSIONER FREDDINO MOVE TO APPROVE TEXT AMENDMENTS – SEEKING TO AMEND A PORTION OF THE TEXT AMENDMENT APPROVED ON 05/30/17 REGARDING THE LANGUAGE ON HEIGHT OF RESIDENTIAL STRUCTURES IN TABLE 3 TO NOW READ: 2 ½ STORIES, 28 FEET TO MIDPOINT OF HIGHEST ROOF; 35 FEET MAXIMUM TO RIDGE WITH THE EFFECTIVE DATE OF NOVEMBER 6, 2017.**
- ** COMMISSIONER MORENO SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

17-55 8-24 REFERRAL – Seeking a favorable recommendation regarding the conversion of what is commonly known as Harbor Yard into an outdoor seasonal amphitheater at 500 Main St.

- ** COMMISSIONER MORTON MOVED TO APPROVE 8-24 REFERRAL – SEEKING A FAVORABLE RECOMMENDATION REGARDING THE CONVERSION OF WHAT IS COMMONLY KNOWN AS HARBOR YARD INTO AN OUTDOOR SEASONAL AMPHITHEATER AT 500 MAIN ST.**
- ** COMMISSIONER WALKER SECONDED THE MOTION.**
- ** THE MOTION PASSED WITH SEVEN VOTES IN FAVOR AND TWO VOTES IN OPPOSITION (COMMISSIONER FILOTEI AND COMMISSIONER FREDDINO.)**

ADJOURNMENT

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

The meeting was adjourned at 9:15 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services