



**CITY OF BRIDGEPORT
PLANNING AND ZONING COMMISSION
REGULAR MEETING
JULY 30, 2018**

45 Lyon Terrace, Room
210
Bridgeport, CT 06604
(203) 576-7217 Phone
(203) 576-7213 Fax

ATTENDANCE: Robert L. Morton, Acting Chair; Reginald Walker, Acting Secretary, Robert J. Filotei, Carlos Moreno, Thomas R. Fedele, Cesar Augusto Cordero, Arturo R. Gravina-Hernandez, Melvin Riley (6:53 p.m.)

STAFF: Paul Boucher, Planning and Zoning, Atty. Russell Liskov, City Attorney's Office

CALL TO ORDER.

Commissioner Morton called the meeting to order at 6:35 p.m. He then introduced the Commissioners seated and reviewed the hearing protocols with those present.

CITY BUSINESS

C-1 (17-44) RE: TEXT AMENDMENTS – Petition of the 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.

Commissioner Morton announced that this item was present on the agenda for voting only as the hearing had already been closed.

18-31 RE: 8-24 REFERRAL -- Petition of the Office of Planning & Economic Development (OPED) -- Requesting under Sec. 8-24 of the CT General Statute, a favorable recommendation to the City Council to discontinue the northern portion of Michael Street as well as an acceptance of the southern portion of Michael Street.

Ms. Lynn Haig came forward to speak about discontinuing a portion of Michael Street. She said that they had worked with the City Attorney's Office to ensure that there would not be any issues.

Commissioner Morton asked if anyone would like to speak in favor of the project. No one came forward. Commissioner Morton asked if anyone would like to speak in opposition to the project. Hearing none, Commissioner Morton closed the hearing on the discontinuation of the northern portion of Michael Street as well as an acceptance of the southern portion of Michael Street.

18-37 RE: 8-24 Referral – Petition of the City of Bridgeport Office of the City Attorney -- Requesting under Sec. 8-24 of the CT General Statute, a favorable recommendation to the City Council regarding a lease agreement between the City of Bridgeport and the Wonderland of Ice Associates, Inc. for the premises located at 123 Glenwood Avenue.

Attorney Mark Anastasi said that he was present to answer questions, along with Mr. John Ricci, the Public Facilities Director, and Atty. Raymond Rizzo, who is representing Wonderland of Ice.

Atty. Anastasi said that on July 10th, the Board of Parks Commission had unanimously approved the management of this park land. The three representatives had appeared before the City Council Contract's Committee, which approved the lease. He then outline the approval process and explained that the next step after Planning and Zoning will be approval by the full City Council.

The first and most important point is that this is not a change of use, but an amendment to the agreement by adding green energy. It will be constructed by 64 Solar and the State is requiring that this change have a length term.

Commissioner Riley joined the meeting at 6:53 p.m. He assumed the chairmanship at that time.

Atty. Anastasi pointed out that this would be a capital investment by saving 15% of the electricity costs. It will be a more sustainable project. Excess energy will be sold back to UI. This is in accordance with the sustainability goals for the City of Bridgeport. This will protect the environment.

Atty. Anastasi then distributed copies of a letter dated June 29, 2018 and an Executive Summary of the request.

Commissioner Morton asked if the solar equipment was being leased or purchased. Atty. Anastasi said that the City of Bridgeport will own the equipment but will be purchased by the tenant. The tenant will received the tax credits for this. The City will not be required to pay for the equipment.

Atty. Anastasi reminded everyone that the Wonderland of Ice was one of Bridgeport's entertainment venues, along with the Zoo, the Barnum Museum and Captain's Cove.

Commissioner Filotei asked for clarification on the tenant's responsibilities that were in the original lease.

Atty. Ray Rizio came forward and gave an overview on the original agreement for improvements with the original contracts who later went bankrupt. Commissioner Filotei said that there was no guarantee other than their word. Atty. Rizio explained that if they defaulted, the Wonderland of Ice would be forced to close. Atty. Anastasi also pointed out that the improvements were geared toward increasing profitability. He said that if the tenant defaulted, then the City could look for another operator.

Atty. Anastasi reminded everyone that there was no change of use, no increase in parking, but simply approving the ability of the rink to generate some of their own power.

Commissioner Riley asked if anyone would like to speak in favor of the project. No one came forward. Commissioner Riley asked if anyone would like to speak in opposition to the project. Hearing none, Commissioner Riley closed the hearing on the lease agreement between the City of Bridgeport and the Wonderland of Ice Associates, Inc. for the premises located at 123 Glenwood Avenue.

18-35 RE: 547 NORTH AVENUE – Petition of 547 N Avenue Bridgeport Realty, LLC -- Seeking a special permit and a site plan review to permit the establishment of a convenience store use in conjunction with the gasoline station use in an existing commercial building in an I-L zone.

Commissioner Riley said that 547 North Avenue had requested a deferment.

18-30 RE: 900 HOUSATONIC AVENUE – Petition of T. F. Holdings -- Seeking a *coastal site plan review and a site plan review to legalize the placement of a 1,420-sq. ft. office trailer and the installation of a 1,000-gallon diesel fuel tank on a property previously approved for the storage of steel materials, cranes, construction equipment and trailers in an I-L zone and coastal area.

Mr. Manny Silva came forward and gave a brief overview of the proposal.

Commissioner Walker then read a letter from Mr. John Gaucher of the Long Island that stated he had no objections to the Coastal Site Review.

Mr. Silva said that the trailer had been placed there as a temporary measure, but it became evident that they need a more permanent structure.

Commissioner Riley asked if anyone would like to speak in favor of the project.

Mr. Gaetano Marini came forward and said that he was in favor because he was there frequently. He said that the company was providing employment for people.

Commissioner Riley asked if anyone would like to speak in opposition to the project. Hearing none, Commissioner Riley closed the hearing on 900 Housatonic Avenue.

18-32 RE: 1 BASS PRO DRIVE – Petition of Bass Pro Shops Outdoor World -- Seeking a *special permit to allow the conversion of 2,266-sq. ft. of the existing dining room into a multi-unit coin operated amusement device arcade in the existing retail outlet in the PDD zone and coastal area.

Mr. Adam Moss, the general manager, came forward and said that they were looking for permission to covert two dining areas into a multi-unit coin operated amusement device arcade.

Commissioner Filotei asked if Mr. Moss has the mailings. Mr. Moss brought the mailings forward.

Commissioner Riley asked how many attractions they would be installing. Mr. Moss said that it would be 37 units and the price would range from \$1 to \$3 and some of them are multi-players.

Commissioner Riley asked if there were any other arcades in their businesses. Mr. Moss said that they have two other arcades, one in the Ozarks and another one that was recently installed in another location four months ago. He said that almost everyone that works in the restaurant lives in Bridgeport and they are in favor of this change.

Commissioner Riley asked if anyone would like to speak in favor of the project. No one came forward. Commissioner Riley asked if anyone would like to speak in opposition to the project. Hearing none, Commissioner Riley closed the hearing on 1 Bass Pro Drive.

18-33 RE: 118 LINDLEY STREET – Petition of Carsation, LLC – Seeking a DMV certificate of approval of location for the display and sales of motor vehicles and the issuance of a used car dealership license in the existing commercial building in an I-L zone and coastal area.

Mr. Duane Berkey came forward to request an approved use for display and sales of motor vehicles.

Commissioner Filotei asked how many cars can be parked in the building. Mr. Berkey said that it would be between 25 to 30 vehicles and they would be doing very minimal repairs. The main offices are located in Westport and the vehicles would be stored in the commercial building.

Commissioner Riley asked for an explanation of how he would purchase a vehicle from Carsation, LLC. Mr. Berkey said that it would be much like purchasing from an online vendor. The vehicles are delivered on flat bed trucks to the customers and there are no customers on site. Commissioner Riley asked if there would be any on street parking. Mr. Berkey said that there would not be any on street parking.

Commissioner Riley asked if this was a franchise. Mr. Berkey said that it was not.

Commissioner Riley asked if anyone would like to speak in favor of the project. A resident of 688 North Washington Avenue, Bridgeport came forward. He said that Mr. Berkey has kept the property in good condition and this has helped the area.

Commissioner Riley asked if anyone would like to speak in opposition to the project.

Commissioner Morton said that the Commission had received a letter of opposition, which he then read.

Mr. Gaetano Marini of 65 Lindley Street, the landlord, came forward and said that when they originally built the warehouse this was the kind of tenant they were looking for. He said they were not taking away from any of the local businesses.

Commissioner Riley pointed out that once a use is established, it goes with the land. Discussion followed about the details of the use variance. Commissioner Riley asked Atty. Liskov to research the request.

Commissioner Riley closed the hearing on 118 Lindley Street at 7:36 p.m.

18-34 RE: 36 – 38 GARDEN TERRACE – Petition of Horacio Deluca – Seeking a site plan review to permit the conversion of the existing 2-family dwelling into a 3-family dwelling in an R-B zone.

Atty. Rizio came forward and said that the owner was requesting a three family, not legalizing a three family. The client has renovated the property and installed drainage. He said that this parcel actually had enough parking.

Commissioner Riley asked where the nearest RC zone was. Mr. Coleman was able to display the nearby RC zone on the video screen. Atty. Rizio said that multi family residence are critical to home ownership.

Commissioner Morton asked if there would be objections to a performance bond in respect to the storm water system.

Commissioner Riley said that there were only five shown on the drawing. Atty. Rizio said that there were six on the plan. It was pointed out that only 5 were required.

Commissioner Riley asked if anyone would like to speak in favor of the project. No one came forward. Commissioner Riley asked if anyone would like to speak in opposition to the project. Hearing none, Commissioner Riley closed the hearing on 36-28 Garden Terrace.

18-36 RE: 167 STEUBEN STREET – Petition of Waltersville Development Group, LLC – Seeking an adaptive reuse of an historical school building to be converted into a 70-unit apartment building with 70 on-site parking spaces in an R-C zone.

Mr. Coleman came forward that due to the concerns that were expressed about overall density and the slightly less than 1 to 1 parking. There were also concerns about the placement of dumpsters.

Mr. Francis Vacca came forward to speak about the adaptive use of the building. He indicated on the site plan where the spaces were relocated and where the dumpster would be located. the overall residential units have been reduced to 70 units.

Mr. Paul Bayley, the architect, came forward and confirmed the number of one bedroom and two bedroom units.

Commissioner Riley asked how many units were handicapped. Mr. Bailey said that there were 7 units that were handicapped accessible.

Commissioner Riley asked if anyone would like to speak in favor of the project. No one came forward. Commissioner Riley asked if anyone would like to speak in opposition to the project. Hearing none, Commissioner Riley closed the hearing on 167 Steuben Street.

RECESS

Commissioner Riley announced a recess at 7:55 p.m. He reconvened the meeting at 8:01 p.m.

DECISION SESSION.

C-1 (17-44) RE: TEXT AMENDMENTS – Petition of the 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

Commissioner Riley said that the record should reflect that Commissioner Gravina-Hernandez and Commissioner Cordero both listened to the audio tapes.

**** COMMISSIONER WALKER MOVED TO APPROVE AGENDA ITEM C-1 (17-44) RE: TEXT AMENDMENTS – PETITION OF THE 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 WITH THE TEXT AS WRITTEN.
** COMMISSIONER FEDELE SECONDED.**

Commissioner Cordero said that he disagrees with including the businesses.

Commissioner Filotei said that he agreed with the 750 rule. He also asked for clarification about the word "disruptive". Commissioner Riley stated that the language was drafted directly from the Special Permit regulations.

**** THE MOTION PASSED WITH SIX (6) IN FAVOR (RILEY, MORTON, WALKER, MORENO, FEDELE, AND GRAVINA-HERNANDEZ) AND TWO (2) OPPOSED (CORDERO AND FILOTEI) WITH THE EFFECTIVE DATE OF AUGUST 6, 2018.**

18-31 RE: 8-24 REFERRAL -- Petition of the Office of Planning & Economic Development (OPED) -- Requesting under Sec. 8-24 of the CT General Statute, a favorable recommendation to the City Council to discontinue the northern portion of Michael Street as well as an acceptance of the southern portion of Michael Street.

**** COMMISSIONER WALKER MOVED TO GIVE A FAVORABLE RECOMMENDATION TO THE CITY COMMON COUNCIL REGARDING AGENDA ITEM 18-31 RE: 8-24 REFERRAL -- PETITION OF THE OFFICE OF PLANNING & ECONOMIC DEVELOPMENT (OPED) -- REQUESTING UNDER SEC. 8-24 OF THE CT GENERAL STATUTE, A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL TO DISCONTINUE THE NORTHERN PORTION OF MICHAEL STREET AS WELL AS AN ACCEPTANCE OF THE SOUTHERN PORTION OF MICHAEL STREET.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED WITH SEVEN (7) IN FAVOR (MORTON, WALKER, FILOTEI, MORENO, FEDELE, CORDERO, AND GRAVINA-HERNANDEZ) AND ONE (1) ABSTENTION (RILEY).**

18-37 RE: 8-24 Referral – Petition of the City of Bridgeport Office of the City Attorney -- Requesting under Sec. 8-24 of the CT General Statute, a favorable recommendation to the City Council regarding a lease agreement between the City of Bridgeport and the Wonderland of Ice Associates, Inc. for the premises located at 123 Glenwood Avenue.

**** COMMISSIONER MORTON MOVED TO MAKE A FAVORABLE RECOMMENDATION TO THE CITY COMMON COUNCIL REGARDING AGENDA ITEM 18-37 RE: 8-24 REFERRAL – PETITION OF THE CITY OF BRIDGEPORT OFFICE OF THE CITY ATTORNEY -- REQUESTING UNDER SEC. 8-24 OF THE CT GENERAL STATUTE, A FAVORABLE**

RECOMMENDATION TO THE CITY COUNCIL REGARDING A LEASE AGREEMENT BETWEEN THE CITY OF BRIDGEPORT AND THE WONDERLAND OF ICE ASSOCIATES, INC. FOR THE PREMISES LOCATED AT 123 GLENWOOD AVENUE.

**** COMMISSIONER MORENO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

18-30 RE: 900 HOUSATONIC AVENUE – Petition of T. F. Holdings -- Seeking a *coastal site plan review and a site plan review to legalize the placement of a 1,420-sq. ft. office trailer and the installation of a 1,000-gallon diesel fuel tank on a property previously approved for the storage of steel materials, cranes, construction equipment and trailers in an I-L zone and coastal area.

**** COMMISSIONER FILOTEI MOVED TO APPROVE AGENDA ITEM 18-30 RE: 900 HOUSATONIC AVENUE – PETITION OF T. F. HOLDINGS -- SEEKING A *COASTAL SITE PLAN REVIEW AND A SITE PLAN REVIEW TO LEGALIZE THE PLACEMENT OF A 1,420-SQ. FT. OFFICE TRAILER AND THE INSTALLATION OF A 1,000-GALLON DIESEL FUEL TANK ON A PROPERTY PREVIOUSLY APPROVED FOR THE STORAGE OF STEEL MATERIALS, CRANES, CONSTRUCTION EQUIPMENT AND TRAILERS IN AN I-L ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL COMPLY WITH THE W.P.C.A. MANAGER’S WRITTEN RECOMMENDATION REGARDING A SPILL PREVENTION PROGRAM.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT FOR THE INSTALLATION OF THE OFFICE TRAILER AND THE ABOVE GROUND FUEL TANK.**

FOR THE FOLLOWING REASONS:

- 1. THE PETITION AS APPROVED IS CONSISTENT WITH THE USE PREVIOUSLY APPROVED ON NOVEMBER 24, 2014.**
- 2. AS TO THE COASTAL SITE PLAN REVIEW, THERE ARE NO UNACCEPTABLE ADVERSE IMPACTS ON THE COASTAL AREA.**

***THIS COASTAL SITE PLAN APPROVAL, AS REQUIRED UNDER SEC. 14-3-4 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT SHALL EXPIRE ON AUGUST 6, 2019.**

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

18-32 RE: 1 BASS PRO DRIVE – Petition of Bass Pro Shops Outdoor World -- Seeking a *special permit to allow the conversion of 2,266-sq. ft. of the existing dining room into a multi-unit coin operated amusement device arcade in the existing retail outlet in the PDD zone and coastal area.

**** COMMISSIONER MORTON MOVED TO APPROVE AGENDA ITEM 18-32
RE: 1 BASS PRO DRIVE – PETITION OF BASS PRO SHOPS OUTDOOR
WORLD -- SEEKING A *SPECIAL PERMIT TO ALLOW THE CONVERSION
OF 2,266-SQ. FT. OF THE EXISTING DINING ROOM INTO A MULTI-UNIT
COIN OPERATED AMUSEMENT DEVICE ARCADE IN THE EXISTING
RETAIL OUTLET IN THE PDD ZONE AND COASTAL AREA FOR THE
FOLLOWING REASON:**

**1. THE PROPOSED USE IS CONSISTENT WITH THE OVERALL
REDEVELOPMENT OF STEEL POINTE AND THE LOWER EAST SIDE.**

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

***THIS SPECIAL PERMIT APPROVAL, AS REQUIRED UNDER SEC. 14-4-5 OF
THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT SHALL
EXPIRE AUGUST 6, 2019.**

**18-33 RE: 118 LINDLEY STREET – Petition of Carsation, LLC – Seeking a
DMV certificate of approval of location for the display and sales of motor vehicles
and the issuance of a used car dealership license in the existing commercial building
in an I-L zone and coastal area.**

Commissioner Riley repeated that he had a problem with this because if they allow it as a used car lot, it would go with the land. He pointed out that it was not a dealership, but a warehouse. Commissioner Riley suggested tabling the matter until Atty. Liskov can research the issue.

**** COMMISSIONER WALKER MOVED TO TABLE AGENDA ITEM 18-33
RE: 118 LINDLEY STREET – PETITION OF CARSATION, LLC – SEEKING A
DMV CERTIFICATE OF APPROVAL OF LOCATION FOR THE DISPLAY
AND SALES OF MOTOR VEHICLES AND THE ISSUANCE OF A USED CAR
DEALERSHIP LICENSE IN THE EXISTING COMMERCIAL BUILDING IN AN
I-L ZONE AND COASTAL AREA FOR DECISION ONLY PENDING
RESEARCH AND A REPORT FROM THE CITY ATTORNEY’S OFFICE.
** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

18-34 RE: 36 – 38 GARDEN TERRACE – Petition of Horacio Deluca – Seeking a site plan review to permit the conversion of the existing 2-family dwelling into a 3-family dwelling in an R-B zone.

**** COMMISSIONER FILOTEI MOVED TO APPROVE AGENDA ITEM 18-34 RE: 36 – 38 GARDEN TERRACE – PETITION OF HORACIO DELUCA – SEEKING A SITE PLAN REVIEW TO PERMIT THE CONVERSION OF THE EXISTING 2-FAMILY DWELLING INTO A 3-FAMILY DWELLING IN AN R-B ZONE.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

18-35 RE: 547 NORTH AVENUE – Petition of 547 N Avenue Bridgeport Realty, LLC -- Seeking a special permit and a site plan review to permit the establishment of a convenience store use in conjunction with the gasoline station use in an existing commercial building in an I-L zone,

**** COMMISSIONER WALKER MOVED TO DEFER AGENDA ITEM 18-35 RE: 547 NORTH AVENUE – PETITION OF 547 N AVENUE BRIDGEPORT REALTY, LLC -- SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A CONVENIENCE STORE USE IN CONJUNCTION WITH THE GASOLINE STATION USE IN AN EXISTING COMMERCIAL BUILDING IN AN I-L ZONE TO MONDAY, AUGUST 27, 2018.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

OTHER BUSINESS

OB-1 – DISCUSSION – The Office of Planning & Economic Development (OPED) – Discuss proposed amendments to the bylaws of the Planning and Zoning Commission for consideration and adoption and to be voted on at the August 27th hearing.

Commissioner Riley said that there were only two major changes and that the quorum would be going from a super majority to a simple majority.

**** COMMISSIONER MORTON MOVED TO ACCEPT THE PROPOSED CHANGES FOR AGENDA ITEM OB-1.**

**** COMMISSIONER WALKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Approval of Minutes

May 29, 2018

- ** COMMISSIONER MORENO MOVED TO APPROVE THE MAY 29, 2018 MINUTES.**
- ** COMMISSIONER CORDERO SECONDED.**
- ** THE MOTION PASSED TO APPROVE THE MAY 29, 2018 MINUTES AS SUBMITTED PASSED UNANIMOUSLY.**

June 25, 2018

- ** COMMISSIONER WALKER MOVED TO APPROVE THE JUNE 25, 2018 MINUTES.**

The following correction was noted:

Page 9, under Decisions for Agenda Item (18-28) 245 Boston Avenue, please change the vote from:

- ** THE MOTION PASSED UNANIMOUSLY.**

TO:

- ** THE MOTION PASSED WITH FIVE (5) IN FAVOR (RILEY, PAPPAS PHILIPS, WALKER, FILOTEI AND CORDERO) AND ONE (1) ABSTENTION (FEDELE) .**

- ** COMMISSIONER FEDELE SECONDED.**
- ** THE MOTION PASSED TO APPROVE THE JUNE 25, 2018 MINUTES AS CORRECTED PASSED UNANIMOUSLY.**

ADJOURNMENT

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

The meeting adjourned at 8:27 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services

City of Bridgeport
Planning and Zoning Commission
Regular Meeting
July 30, 2018