



**CITY OF BRIDGEPORT
PLANNING AND ZONING COMMISSION
REGULAR MEETING
MAY 28, 2019**

45 Lyon Terrace,
Room 210
Bridgeport, CT 06604
(203) 576-7217 Phone
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ATTENDANCE: Mel Riley, Acting Chair; Reginald Walker Acting Secretary; Cesar Augusto Cordero, Robert J. Filotei, Arturo R. Gravina-Hernandez, Carlos Moreno, Robert L. Morton (6:45 p.m.)

STAFF: Dennis Buckley, Planning and Zoning; Atty. Mike Jankowski, City Attorney's Office

CALL TO ORDER.

Commissioner Riley called the meeting to order at 6:31 p.m. A quorum was present. Commissioner Riley then introduced the Commissioners seated and reviewed the hearing protocols with those present.

CITY BUSINESS

(19-28) 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 regarding the establishment of an easement agreement relevant to 337 Knowlton Street parking lot and open area.

Mr. Bill Coleman, the Deputy Director of OPED, came forward and displayed an aerial photo of the property in questions. He indicated the location of the L shaped building which is privately owned and in the process of being sold. The City owns the property abutting the building and part of it has been used for parking by the building's tenants. He explained that the City has been looking for ways to activate the waterfront and this request is for an easement from the City to expand the parking area. The new owners will be paying taxes.

CONTINUED BUSINESS

C-2 (19-17) 2115 Seaview Ave – Petition of JCM Services, Inc. – Seeking a special permit & site plan review to permit the outdoor storage of construction equipment & materials, such as sand, mulch, crushed stone, top soil and process-based material in the IL zone.

Mr. Buckley, the Zoning Official, came forward and stated that the applicant had requested a deferment. He then read the letter requesting a deferment for the third time to the Commissioners. Commissioner Riley noted that this was the last deferment.

NEW BUSINESS

(19-14) 18, 30, 34 & 44 Island Brook Ave. – Petition of Bud’s Service, LLC – Seeking to grant under Sec. 14-54 of the CT General Statute a Certificate of Approval of Location for a general repairer’s license and a towing and storage business lot in an I-L zone.

The applicant came forward and said that his business was located across the street and they were doing towing. The parcel is right across the street and he would like to expand his business to the proposed parcel. Commissioner Filotei said that the parcel was very clean and organized.

There was a brief discussion regarding whether the State of Connecticut had changed the jurisdiction from the Planning and Zoning Commissions to the Zoning Board of Appeals. Atty. Jankowski said that he would look into this.

Commissioner Riley asked if there was any member of the public who wished to speak in favor or in opposition of these items. Hearing none, he closed the public hearing on 18, 30, 34 & 44 Island Brook Ave.

(19-20) 136-140 James St. – Petition of Rose-Tiso & Co., LLC – Seeking an approval for a 4-lot subdivision and site plan review for the construction of four 2-family residential dwellings in an R-C zone.

Mr. Pat Rose of Rose-Tiso came forward and displayed an aerial view of the property. Commissioner Riley asked for clarification on the details. Mr. Rose said that they wanted to build four two family homes on the parcel. The existing parcel is on page 1 of the drawing packet and page 2 should display the proposed subdivisions. Mr. Rose reviewed the placement of the proposed residences and parking areas, the location of the drainage, the exterior views of the houses, and the interior plans. he said that the ZBA had already given them the variance.

Commissioner Filotei asked if the masonry building had been abandoned. Mr. Rose said that it was empty.

Commissioner Morton joined the meeting at 6:45 p.m.

Mr. Steve Easton came forward and reviewed the details. Commissioner Riley asked about the fact that the parcels were undersized. Mr. Easton said that the total of the two

family residence was almost 3,000 sq. feet. The parcels were only short of the requirement by a few feet.

Commissioner Riley asked if anyone was in favor of the application.

Council Member Alfredo Castillo came forward and said that he had been working with Mr. Easton for a number of years on different projects. He said that when he heard that the building was for sale, he mentioned it to Mr. Easton and checked with the City officials about the parcel. It is a commercial property, but this proposed project would promote home ownership. An aerial photograph was displayed of the four residences that were constructed by the same developer that were nearby.

The President of Hollow NRZ came forward and said that she understood the concerns about congestion. The four homes that were built a few years ago have been a benefit and the new four homes would be an improvement.

Mr. Coleman said that the previous four two family homes had worked out extremely well. The vehicles are parked along the side of the building or in the back rather than on the street or in the front.

Commissioner Filotei asked about the impermeable surfaces. Mr. Coleman said that right now the site is all asphalt. There was no landscaping. The residences would have driveways and parking areas, but would also have lawns, which would reduce the amount of asphalt.

Commissioner Riley asked if there was any member of the public who wished to speak in opposition of this item. Hearing none, he closed the public hearing on 136-140 James St.

(19-21) 480 Bunnell St. – Petition of Joseph A. Barone, Jr. - Seeking a special permit, site plan review, and coastal site plan review to permit the construction of a 4,710-sq. ft., 1-story addition to the existing warehouse facility in an I-L zone and coastal area.

Mr. Syed Ali, the architect for Mr. Barone, came forward and submitted his green mailing receipt. He said that Mr. Barone wished to expand his business. Mr. Ali asked if Mr. Gaucher's letter was in the information packet. Mr. Buckley confirmed that it was.

Mr. Buckley said that he had received a copy of the letter from Mr. Gaucher. He then read the letter from Mr. John Gaucher, the Long Island Sound Environmental Analysis for The Connecticut DEEP Land and Water Resources Division, stating there were no issues with coastal resources.

Mr. Ali then reviewed the details of the plan with the Commissioners and displayed an elevation drawing.

Commissioner Morton said that there were some requests from the Engineering Department. Mr. Ali said that the system was in place and the percolation rate was approved.

Commissioner Riley said that this project was allowed by Special Permit. He asked Atty. Jankowski for clarification. Atty. Jankowski confirmed that the project was allowed by special permit, but pointed out conditions could be included in the approval.

Commissioner Riley asked if anyone was in favor of the application. No one came forward. He then asked if there was anyone present who wished to speak in opposition.

Council Member Ernest Newton came forward and said that Mr. Barone had not spoken to the community about the project. He said that he would like to have them defer the item so that they could come before the NRZ. The applicant needs to come before the Community.

Council Member Filotei pointed out that this had been published in the newspaper two weeks before. Council Member Newton stated that he does not read the newspaper.

Mr. Coleman said that he had been asked by the Council Members to defer the item. Commissioner Riley explained that they can not defer it because it is already opened.

Mr. Ali then requested that the item be continued.

(19-22) 1558 Barnum Ave. – Petition of 1558 Barnum Avenue, LLC – Seeking a special permit and site plan to permit the establishment of a recreational use in the existing industrial building in an MU-LI zone.

Mr. Jim Colon came forward and said that he was present to seek a special permit for a recreational use. He submitted the mailing receipts. The organization is Blue Ox Avenue. The facility will be used for events. This venue is similar to a bowling alley, but the people are throwing axes at a soft wood target.

When asked how many people would be allowed to be at an event, Mr. Jerrod Ferriera, the CEO of Blue Ox, came forward and said that the maximum number of participants would be 60.

Commissioner Walker asked about the number of parking space. Mr. Colon explained that they are there on the week-ends and after the businesses close at night.

Mr. Ferriera explained that each lane has two targets of soft wood. Each lane is enclosed. No one brings their own ax. The minimum age is 16. It is open by appointment and the

minimum group would be two people. It is two people per lane. They will be open Thursday, and Friday night along with Saturday and Sunday.

Commissioner Riley asked if there was anyone was in favor of the application. No one came forward. He then asked if there was anyone present who wished to speak in opposition.

Council Member Newton came forward and said that the applicant should have come before the NRZ to speak to them about the proposal. He then requested that the Commission continue this. He asked the owner if there were jobs for residents. The neighbors had no idea about this and whether there would be opportunities for people who live in Bridgeport.

Council Member Martinez said that she was totally opposed to the application. She said that someone could utilize the weapon and attack someone. This would be a major health and safety concern.

Mr. Colon came forward for rebuttal and said that he had been working in the East Side for many years. He said that they had created hundreds of jobs on the site. He said that he saw this as a value added to the community.

Commissioner Riley closed the public hearing on 1558 Barnum Avenue.

RECESS

Commissioner Riley announced a recess at 7:22 p.m. He reconvened the meeting at 7:31 p.m.

(19-23) 1234, 1294 & 1310 Huntington Tpk. – Petition of MTM Family Limited Partnership – Seeking a special permit and site plan review to permit the construction of a 1-story, 22,420-sq. ft. commercial building in an OR zone.

Atty. Charles Willinger came forward and said that he was the principal for Willinger, Willinger and Bucci.

On April 30, 2018, the P&Z approved a change of zone and the neighbors had filed an appeal. The Court dismissed the suit earlier this year. On March 25th, the P&Z approved the wetlands application

Atty. Willinger distributed a copy of the decision because it was consistent with the Master Plan of Development.

Atty. Willinger then reviewed the plans with the Commission. He said that he expected the neighbors to be present in opposition at this hearing or that they would file an appeal.

Atty. Willinger then indicated where the town line for Bridgeport and Trumbull was shown on the plans. There will be no development on the Trumbull side. Atty. Willinger then indicated where the 88 parking spaces would be, the grading and utility plan, the soil erosion plan and the other engineering plans including the retention pond and rain garden. He also displayed the landscaping plan that included 46 trees, over 100 shrubs and hundreds of perennials on the plan.

Atty. Willinger reviewed the architectural plans that show a brick veneer along with the elevation drawings. Atty. Willinger also displayed a color photograph rendering of what the proposed shopping center will look like.

He was asked if they would have an anchor tenant. Atty. Willinger said that they would all be small businesses.

Commissioner Fedele asked if they would limit deliveries. Atty. Willinger said that they could limit the deliveries until after 9 a.m.

Atty. Willinger said that the Fire Marshal had no issues. The sewer hook up may have to come from Trumbull.

Atty. Willinger said that the Engineering Department had issued a report on May 16th, which he distributed. Atty. Willinger said that he had replied to the Department on May 22nd. He then reviewed the requests that the Department had made with the Commissioner which were outlined in the May 22nd letter.

Atty. Willinger said that there were two comments that were outstanding. One was the approvals from Trumbull and the other was the detention pond, which Mr. Popp, the environmental consultant has requested.

Atty. Willinger then reviewed the standards with the Commissioners.

Section 14-4-4 requires the special permit be compatible with the Master Plan. Also, the Master Plan promotes development along major highways, including Huntington Turnpike on page 49.

Secondly, the standards ask whether the development would impair future development. The area is already developed.

Thirdly, both the height and the bulk of the building are within the required standards.

There will be no offsite issues and they will not be increasing the flooding.

There is no impact on Long Island Sound.

He said that the next issue was whether there would be any traffic issues. He said that he had copies of the transcript when Kermit Hua given testimony on April 30, 2018 which reads as follows:

Mr. Hua:

Thank you, Chuck. Good evening, Mr. Chairman and the members of the Commission. My name is Kermit Hua. I'm the traffic engineer examining the impact of this, ah, application. Ah, I'm from KWH Enterprises, LLC in Meriden, Connecticut. I'm a registered professional engineer in the State of Connecticut.

So, with the data we have, ah, for this part of Huntington Turnpike, ah, the way I look at this, I looked at the DOT data that we have and it shows that approximately 8,000 vehicles using both lanes of Huntington Turnpike on a typical day. That translates into about 10% of that volume during each of the peak hours. In other words, 800 vehicles using those two lanes during peak hours. If you divide it by 2, we are looking at about 400 vehicles per lane per peak hour.

So, how does that 400 vehicles compare to the actual, ah, roadway capacity of Huntington Turnpike? The rule of thumb of capacity in traffic engineering is about 600 to 700 per lane per hour. So, in other words, we have about a spare capacity about -- if you use 650 as a guide -- a spare

capacity of about 250 vehicles during the busiest hour of the day.

And, ah, based on that, in my judgment and my professional opinion is any kind of commercial development can be adequately handled by, ah, the existing roadway network.

The reason I say that, you know, the development Chuck mentioned, the 22,000 retail is just sort of a typical but on the higher side of kinda commercial development, ah, if you think about this. Some other commercial development use could have a major tenant taking up a lot of space and they would probably generate far fewer trips than what you see in a typical neighborhood shopping center.

But nevertheless, we use that as an example, 22,000 square feet of retail. That translates about 200 trips – vehicle trips – during each peak hour, if you divide it by two directions, you know, 100 going one direction and 100 going the other direction, so we have a, ah, 100 trips compared to the 250, ah, capacity I mentioned previously.

So, in other words, we have a high – a spare capacity – much larger than what we are proposing here.

So, like I said, if they use 22,000 square feet of retail should have no problem to use the existing roadway and even, you know, any commercial developments with, ah, a little bit heavier traffic impact, I don't see any problem from a traffic capacity stand point.

Ah before the – before the last scheduled, ah, ah, hearing, I think it was, when we were supposed to, ah, be before the Commission, actually I went there in the field during the peak hour after 5 o'clock, you know, to see the actual conditions and it's really not a – although it's a State road, State Road 730, it's not a busy thoroughfare by any, you know, means. It's not a Boston Post Road for sure. And I don't see any problems in the future if you have a driveway or two driveways for this development.

I think, ah, you know, patrons visiting this commercial development should have no problem getting in and out of there, ah, with a driveway on Huntington Turnpike during that busiest peaks hours.

So, that's all I have.

Atty. Willinger also presented the traffic counts from Mr. Hua.

One of the standards is that there no adverse impacts on the property values. Atty. Willinger then distributed copies of the testimony regarding this as given by Mr. Carlos Perez, a real estate broker on April 30, 2018 as follows.

Mr. Perez:

Thank you. Good evening. Ah, my name is Carlos Perez and I'm a real estate broker, licensed in the State of Connecticut since 2001. I'm associated with ReMax Right Trace. We have offices in Bridgeport, Trumbull, Milford, Newtown and Bethel. Ah, we have been the number one transaction [inaudible] in Bridgeport office for many years and over the last fifteen years, our Bridgeport office has sold over a half a billion dollars worth of real estate. We have over 3,600 transactions and our commercial team is recognized around the country as one of the top transacting in Connecticut.

Uhm, further, I had lived in Bridgeport. I do about 20% of my real estate business in Bridgeport, uhm, and I currently have about 17 active listings in Bridgeport. Uhm, I'm extremely familiar with the Bridgeport property values.

In reference to the 2,200 square foot retail shopping center, ah, that's being proposed, I'm very familiar with the location and the neighborhood. Ah, in my professional opinion, the proposed development will not have any negative impact on the surrounding property values. I've studied property values in the immediate area and across Bridgeport that have similar proximity to comparable

retails centers and there's no discernable difference in what residential properties located near the retail centers sell for and further there's no discernable difference for how long they take to sell.

The two most important factors for the salability of a property is the overall condition of residence and number two, the location within the municipality. In the case of the proposed location, the new shopping center is in a very desirable part of Bridgeport and the desirability will not change having the proposed 2,200 square foot retail center at Huntington Turnpike.

Uhm, what is most important is the center be aesthetically pleasing. As you can see, it will be well maintained and the strong reval, there is no doubt in my mind that there would be a negative impact on the neighborhood property values.

- Commissioner Riley: Any questions?
- Commissioner Pappas Phillips: 2,200 or 22,000?
- Mr. Perez: 22,000. My apologies.
- Commissioner Pappas Phillips: Thank you.
- Mr. Perez: Thank you.

The next Special Permit standard does not create a conflict in the vicinity. Atty. Willinger then spoke about the OR zone (Bridgeport Zoning Regulations 6-2-1).

He said that they would have to consider the health and safety of the neighborhood. There are also a number of design requirements, but the design has been approved by the Design Review Committee. He reviewed the details regarding the location of deliveries, the trash enclosure and the fire lane.

Atty. Willinger said that he thinks the application meets the requirements. He added that they anticipated an appeal. Atty. Willinger then distributed some suggested reasons for approval. They were as follows:

- The proposed shopping center complies with all of the special permit standards in the regulations.
- The proposed shopping center complies with all of the site plan standards in the regulations.
- There will not be any adverse impacts as a result of the proposed shopping center.
- The proposed shopping center will provide conveniences to the neighborhood.

Atty. Willinger concluded his remarks by requesting that the Commission grant the application for the project.

Commissioner Riley asked if there was anyone in favor of the application.

Mr. Bill Coleman came forward and said that there had been a number of changes that had already been made and that the landscaping would be an improvement.

Commissioner Riley asked if there was anyone present who wished to speak in opposition.

Ms. Katherine Testa of 40 Lindwood and Mr. Joseph Mezel both came forward.

Mr. Mezel said that he had been in the area for a long time. He spoke about the history of the property and said that Huntington Turnpike has no sewers. Commissioner Riley said that there were sewers on the plan. Mr. Mezel asked why the plans had not been published yet. Commissioner Riley said that the engineers would be working on the plans.

Ms. Testa said that the last major rainstorm had ended up with such flooding that some residents had to call the fire department.

The traffic over the years has increased and people speed down the road. The parcel is much smaller than it appears. The dumpsters and deliveries will be in the back, which is along everyone else's backyards. There was a major accident at the intersection last week.

There are plenty of take out food places and many other places to shop.

Atty. Willinger and Mr. Manny Silva of Rose Tiso came forward for rebuttal. Mr. Silva explained that Intervale Road has a sewer line and they would like to have a force main there. Trumbull actually sends its sewage to Bridgeport, so it will be taken care of.

The property is 3 acres and it will be taken off line for storm water.

Atty. Willinger said that there will be a privacy fence around the dumpster and there will be retaining walls and trees that will block the view. The fact that there are other commercial developments on Huntington Turnpike is immaterial.

Commissioner Riley closed the hearing on Huntington Turnpike.

(19-24) 580-582 North Ave. – Petition of 580 North Avenue, LLC – Seeking a special permit and site plan review to permit the establishment of a retail convenience store in the gas station building currently under construction in an I-L zone.

Atty. Willinger came forward and said that he was the principal for Willinger, Willinger and Bucci. the owner of the property is Mr. Eddie Jamal. He is seeking re-approval for a retail convenience store.

On March 26th, 2018, the P&Z approved the convenience store unanimously. Atty. Green is present in opposition. An appeal was filed and the court found that the Chairman had closed the hearing, but later during the decision session, re-opened the hearing to verify the truck turning radius. Atty. Willinger said that Atty. Green had filed that it was not in fairness. The Court remanded it and sent it back to the Commission. The court did not state that the standards were flawed. It was a procedural issue, not a substantive issue.

Atty. Willinger displayed the survey and utility plan, which was approved by Engineering. This includes the gas station. The regulations include a requirement with the utilities. He displayed the various plans that were required by the standards, including the truck turning radius diagrams. Atty. Willinger said that they had submitted the storm water analysis, an environmental impact and traffic study.

The owner of the property, Mr. Jamal, is also the owner of a gas station on Park Avenue. The Deli owners, who are the neighbors have also approved and support the application.

The Design Review Committee met back in December of 2018 and approved the building. 85% coverage is permitted. This building is smaller. There is more landscaping than required.

Atty. Willinger then distributed copies of a letter dated May 16, 2019 stating there were no Engineering or Traffic issues. He also provided the Commissioners with copies of the Building Permit dated January 17, 2019.

Atty. Willinger then cited Section 14-4-4 which includes whether the Special Permit was compatible with the Master Plan.

Secondly, the standards require a decision on whether the development would impair future development. The area is already fully developed.

Thirdly, the height and the bulk is within the standards.

There will be no offsite issues and there will not be increasing the flooding.

There is no impact on Long Island Sound.

He said that the next issue was whether there would be any traffic issues.

One of the standards is that there no adverse impacts on the property values.

Atty. Willinger said that Mr. Kermit Hua stated that the impact study for both the gas station and the convenience store would produce negligible impact since most of the drivers on North Avenue would already be using North Avenue anyway. If someone is driving south towards Fairfield on North Avenue, the only location they can get gas is at the Citgo station, which means crossing the oncoming traffic.

RECESS

Commissioner Riley announced a recess at 8:39 p.m. He reconvened the meeting at 8:46 p.m.

Atty. Willinger said that the rest of the traffic was in line. The landscaping, the circulation and the there were no issues with the standards set forth in the regulations.

Atty. Willinger said that if the Commission agrees, he would like them to state that in their approval.

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

Council Member Alfredo Castillo of the 136th District came forward. He said that he was in favor of the project. He said that there should be competition and people should be able to choose.

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

Atty. Joel Green came forward and said he was with the law offices of Green and Gross. His client was the Citgo station located across the street. He said that he was opposed to this application for a variety of reasons.

He spoke about the permitted use of the application and there were missing elements of the site plan which they were asked to approve at this time.

Atty. Green said that the applicant was wrong in stating that they could put a gas station on the site as of right. He said that the canopy was considered as a structure and that was not on the site plan. The applicant has an application before the ZBA right now.

Atty. Green then submitted a copy of an application for the ZBA to Mr. Buckley, the Zoning Official.

Commissioner Gravina-Hernandez pointed out that the application was about the convenience store.

Commissioner Riley pointed out that if the gas station was full service, he would not need a canopy.

Atty. Green said that the Commissions has to make certain findings regarding the structures and those within 50 feet of the site. The applicant failed to show the business on the corner of Lindley Street and North Avenue.

Atty. Green said that there was a curb cut on the neighboring business, which was not included on the drawings. He said that he thought it would be important to have that information and mentioned that he would be producing an expert on curb cuts. In fairness to the public, they should comply with Section 14-2, including all of those features.

Atty. Green asked the Commission continue the hearing in order for the applicant to submit complete plans. The Commission agreed to continue the application.

(19-25) 827 Trumbull Ave. – Petition of Northeast Conference of Seventh Day Adventist Church – Seeking a special permit and site plan review to permit the construction of a 2-story 63,724-sq. ft. addition to the existing house of worship building for classrooms, gymnasium, and enlarged worship area in an R-A zone.

Rev. Cornell Miller, the pastor of the church, came forward and submitted the green mailing receipts. The church is seeking to address the school and church by adding on a gymnasium and kitchen. They have approximately 5 acres of land. They can use up to 60% of the land and currently are using 17%. They will use 19% with the addition.

Commissioner Riley asked how many congregants. Rev. Miller said they have 350 and 45 students. They would like to have 150 students and seating for 500.

Mr. James Romar came forward and said that his firm had done the design work. There is about 30 feet of elevation change between the church and the peak of the knoll. He said that the vision was to utilize the site to the maximum. Currently they have 94 parking spaces. There will be 153 spaces, 17 spaces will be handicapped. All of the parking is in the back because they are not allowed to have parking in front of the building. He then reviewed the traffic pattern, which will be a one way traffic pattern. The exit will be utilizing an existing curb cut and will be bring people in via Chopsey Hill.

Mr. Romar explained that there was a drainage system with catch basins staggered throughout the site. The sewer will come from Reservoir Avenue via Trumbull Avenue. He said that there would be about 4% grade on the site. He also gave an overview of the erosion control, including sedimentation pits that will be cleaned out periodically.

Commissioner Fedele asked about blasting. Mr. Romar said that they are chipping away at the ledge now and would like to have a blasting area.

Commissioner Filotei asked about the back area where there were a lot of earth moving going on. Mr. Romar said that they were hoping there was rock ledge underneath rather than earth because then they would not have to worry about mud slides.

Commissioner Riley asked Mr. Romar if they had spoken with the Design Review Committee. He said that there were numerous issues with the design. Mr. Romar said that they were working with a site that has a hill which can easily be taken down.

One of the representatives said that the biggest issue was the fact that original building was constructed back in 1964 and is now too small. There are four congregations in the City and they need to come together for events. The gymnasium would be used for congregational gatherings.

Commissioner Riley said that the plans does not show windows. The representative said that all the classrooms have a window and the only rooms that do not are interior ones such as the teacher's lounge and the library. He said that the students have to go outside to get to part of the building.

Commissioner Filotei asked if the Design Review should be updated. Commissioner Riley said that the Review phase of the process had already been completed.

Mr. David Spears, a professional engineer, came forward and said that he does traffic studies. He said that when they reviewed the numbers, there would not be an issue. By using one way traffic, they are actually improving the traffic flow. His firm reviewed the details and there were no issues with capacity. The only issue was safety, which the one way traffic would address. Over time, the church responded to all of the staff's comments.

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

Ms. Chalona Edwards a member of the congregation, came forward and said that congregation had outgrown the building. They would like to have more outreach to the community via lunches or summer programs for children. With a gymnasium, the congregation can get together. The children like to get together. She thanked them for their consideration.

Mr. Joseph Davis came forward in favor of the project. He said that they would like to have a food pantry and have a walk in freezer to keep the food safe. They would be able to provide fresh meals for the community members who need those meals in the winter.

Mr. Steven Wing, a licenses architect, came forward and said that he was part of the design team. Commissioner Riley asked why Mr. Wing was in favor of the plan. He said that the plan was good.

Mr. Lamar came forward and said that he felt that no matter what comes out of the decision, he felt that it would be a benefit.

Ms. Crenshaw came forward and said that they realize that there was opposition but it was never their intention to cause a problem. She said that they were increasing the building so that they could enhance the services to the community.

Another member of the congregation came forward and said that the project was intended to benefit the community. She said that she has children and this was never intended to be a problem.

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

One of those in opposition said that there were a number of issues, such as noise, security and how they have to keep calling the police

Ms. Heather Joseph, a resident of Cleveland Avenue, came forward and said that the petition contains names from people on Stone Ridge, Cleveland and many neighboring streets.

When they cut all the trees down, all the animals and rodents were forced into everyone's back yards. They could have spoken to the neighbors first. All the property owners have septic tanks and they want to blast. She said that she had spent time with people who live in Trumbull Gardens and the church does nothing for the community. She wanted to know how many members of the church live in Bridgeport.

Ms. Joseph said that there were several accidents right there and one of the residents has boulders in her front yard to stop cars from hitting her house. Ms. Joseph added that she had called the Governor about this and no one seemed to care about the property owners.

Ms. Magdalia DeJesus came forward to speak and said that she had bought the house in 2000. Her tenants did not tell her what was going on behind her property. She displayed photos on her phone to the Commissioners. She said that her tenants work nights and they can't sleep with all the noise during the day. As a real estate agent, she knows she will lose property value. There was never a letter in her mailbox about this project. She didn't know about it until a neighbor told her what was going on. Her tenants are worried about the machinery and all the noise. Now she had piles of dirt

Another neighbor came forward to speak about the project. She said that many of the problems happened because the church didn't speak to the neighbors. In addition to the property values and the noise, they took out all the trees. The neighbors have septic tanks and they can't hope that the tanks aren't damaged. She suggested that they continue the application so the church can talk to the neighbors.

Mr. Steven Nelson came forward and said that he has lived in the area all his life. He said that he was a Housing Commissioner and that there thousands of people who live on Chopsey Hill. He said that the Housing Authority already had a field and a gym nearby. Residents are worried about cracks in the foundations. No disrespect to the church but there has to be a better solution to this issue.

Ms. Linda Christy, the president of Second Stone Ridge Condominiums, came forward and said that their parking lot was already seeing sink holes because of the development was taking place. She said that she would like them to reach out to the communities and communication is needed. She said that she was the Vice President of the Reservoir NRZ and one of the P&Z Commissioners was a member of the Reservoir NRZ and never had spoken to the NRZ about the proposed project.

Another Chopsey Hill Road resident came forward to speak about his concerns with the project. He said that he can see his house on the aerial photos. He said that he was

concerned with the increase on Chopsey Hill Road. When he looks out the window, all he sees are dirt piles now because there are no trees.

Mr. Bejoit came forward and said that his home was directly in back of the church and he was concerned about the structure of his house.

Mr. Joseph Betts said that an earlier speaker had referred to a neighbor who had cancer and he was the one has cancer and suffers from migraines. Mr. Betts said that the neighbors had not been told about this. They have all invested in their properties and their values will be negatively impacted. The church was there for many years and he had never seen any outreach. He grew up on the Terrace and that the residents had come a year ago but didn't get any attention at that time.

Another resident of Chopsey Hill Road said that she had not seen any outreach to the neighbors but noted that there was so much traffic on Chopsey Hill Road. Without the trees, people are coming into their back yards.

Another resident asked if the community children would be allowed to attend the school.

Council Member Rosalina Roman-Christy said that she had had numerous conversations with Mr. Edwards about getting out to the Community. She said that this was a AA residential area. She spoke about the number of schools in the area, which all use Trumbull and Chopsey Hill Road.

Ms. Sauda Baraka came forwards said that she was impacted by this because she lives at a the corner of Chopsey Hill and Trumbull Avenue. Her in-laws live on Clearview.

When the WPCA was putting in sewers in the area, they could not do it because the rock was too thick and they couldn't blast.

She said that Fairchild Wheeler has 400 students and trying to get down the road at 8:00 a.m. or 3:00 o'clock is impossible.

Mr. Edwards said that he noticed that many people had site plans that were not current site plans. He said that at this point in time the church was asking for a continuance to correct their errors and talk to the community. Commissioner Riley said that they would keep the case open to hear further testimony from the NRZ.

RECESS

Commissioner Riley announced a recess at 10:14 p.m. He reconvened the meeting at 10:23 p.m.

(19-26) 797 Washington Ave. – Petition of St. Joseph Charitable Center for the Poor & Needy, Inc. – Seeking a site plan review to permit the establishment of a 12-space parking lot to be used in conjunction with the Thomas Merton Center located at 43 Madison Avenue in an R-C zone.

Atty. David Bjorkilan came forward to represent St. Joseph's Charitable Center. He said that they needed to obtain a waiver from the ZBA last month and they have been working on complying with the conditions.

Commissioner Riley asked if there was anyone present to speak in favor of the application. No one came forward. He asked if there was anyone present who wished to speak against the application. Hearing none, he close the application for 797 Washington Ave.

(19-27) 4219 Main St. & 50 Lourmel St. – Petition of McDonald's USA, LLC & Ralph Santa Lucia & Pamela Santa Lucia Co Trustee of the Santa Lucia Family Trust – Seeking a zone change from Residential-A (R-A) zone and Office-Retail Regional (OR-R) zone to Office Retail (OR) zone; Beginning at a point at the intersection of the northerly street line of Lourmel Street and the westerly street line of Main Street; Thence S66°14'04"W a distance of 275.00' along the northerly street line of Lourmel Street; Thence N23°45'56"W a distance of 100.00' along land now or formerly of Emma J. Pincus; Thence N66°14'04"E a distance of 275.00' along land now or formerly of Palma Santa Lucia; and Thence S23°45'56"W a distance of 100.00' along the westerly street line of Main Street to the point and place of beginning and a special permit and site plan review for the construction of a 1-story 4,557-sq. ft. fast food restaurant in the proposed OR zone.

Atty. Ray Rizio came forward and said that he was representing McDonald's #180 which was on the North End. Half of the area is in the residential zone. They were asking to expand the parking. Now over 70% of their business is done via the drive thru. The residence next to it will be demolished. They would like to change the zone from OR-R to Office Retail. OR-R was designed to handle large parking areas that a supermarket would need. This would change from 4 curb cuts to only two.

Atty. Rizio said that they had a traffic study and submitted a copy to Mr. Buckley. He said they would back in front of the Commission again for other approvals.

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

Mr. Coleman came forward said that they were in favor. He said that the Commission was helpful in dealing with drive thrus.

Mr. Coleman pointed out the engineering report said that the drive thru design was an improvement and would shift the queue away from Main Street.

Commissioner Riley asked if there was anyone present who wished to speak against the application. Hearing none, he close the application for 4219 Main St. & 50 Lourmel St.

Commissioner Riley closed the public hearing portion of the meeting at 10:48 p.m.

CONSENT AGENDA

Mr. Buckley said that the Commission had approve a replacement for Marina Village and that the applicant had requested to change the brick with vinyl siding and replacing the Hardee board with another material.

DECISION SESSION

(19-28) 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 regarding the establishment of an easement agreement relevant to 337 Knowlton Street parking lot and open area

**** COMMISSION WALKER MOVED TO SEND FAVORABLE A RECOMMENDATION TO THE CITY COMMON COUNCIL REGARDING AGENDA ITEM (19-28) 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 REGARDING THE ESTABLISHMENT OF AN EASEMENT AGREEMENT RELEVANT TO 337 KNOWLTON STREET PARKING LOT AND OPEN AREA**

**** COMMISSIONER MORENO SECONDED.**

**** THE MOTION PASSED WITH FIVE (5) IN FAVOR (WALKER, CORDERO, FILOTEI, GRAVINA-HERNANDEZ AND MORENO) AND ONE (1) ABSTENTION (MORTON).**

C-2 (19-17) 2115 Seaview Ave – Petition of JCM Services, Inc. – Seeking a special permit & site plan review to permit the outdoor storage of construction equipment & materials, such as sand, mulch, crushed stone, top soil and process-based material in the IL zone.

**** COMMISSIONER FILOTEI MOVED TO APPROVE THE REQUEST FOR A THIRD AND FINAL DEFERMENT TO MONDAY, JUNE 24, 2019 FOR AGENDA ITEM C-2 (19-17) 2115 SEAVIEW AVE – PETITION OF JCM SERVICES, INC. – SEEKING A SPECIAL PERMIT & SITE PLAN REVIEW TO**

PERMIT THE OUTDOOR STORAGE OF CONSTRUCTION EQUIPMENT & MATERIALS, SUCH AS SAND, MULCH, CRUSHED STONE, TOP SOIL AND PROCESS-BASED MATERIAL IN THE IL ZONE.

**** COMMISSIONER FEDELE SECONDED.**

**** THE MOTION PASSED WITH FIVE (5) IN FAVOR (CORDERO, FILOTEI, FEDELE, GRAVINA-HERNANDEZ AND MORENO) AND ONE (1) ABSTENTION (MORTON).**

(19-14) 18, 30, 34 & 44 Island Brook Ave. – Petition of Bud’s Service, LLC – Seeking to grant under Sec. 14-54 of the CT General Statute a Certificate of Approval of Location for a general repairer’s license and a towing and storage business lot in an I-L zone.

Atty. Jankowski said that he had done some research and confirmed that the State had moved the authority regarding these types of requests back to the ZBA. Therefore no action was required by the Commission on this item.

(19-20) 136-140 James St. – Petition of Rose-Tiso & Co., LLC – Seeking an approval for a 4-lot subdivision and site plan review for the construction of four 2-family residential dwellings in an R-C zone.

**** COMMISSIONER FILOTEI MOVED TO APPROVE AGENDA ITEM (19-20) 136-140 JAMES ST. – PETITION OF ROSE-TISO & CO., LLC – SEEKING AN APPROVAL FOR A 4-LOT SUBDIVISION AND SITE PLAN REVIEW FOR THE CONSTRUCTION OF FOUR 2-FAMILY RESIDENTIAL DWELLINGS IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. PETITIONER SHALL FILE A SUBDIVISION MAP ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT.**
- 2, THE DEVELOPMENT OF THE NEW LOTS SHALL BE IN STRICT ACCORD WITH THE PLANS PRESENTED TO AND APPROVED BY THE COMMISSION.**

FOR THE FOLLOWING REASONS:

- 1. THE DEVELOPMENT OF THESE PROPERTIES IS CONSISTENT WITH THE MASTER PLAN.**
- 2. AS TO THE SITE PLAN REVIEW, THE PROJECT AS APPROVED IS IN COMPLIANCE WITH SEC. 14-2-5 OF THE ZONING REGULATIONS.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(19-21) 480 Bunnell St. – Petition of Joseph A. Barone, Jr. - Seeking a special permit, site plan review, and coastal site plan review to permit the construction of a 4,710-sq. ft., 1-story addition to the existing warehouse facility in an I-L zone and coastal area

**** COMMISSIONER WALKER MOVED TO CONTINUE AGENDA ITEM (19-21) 480 BUNNELL ST. – PETITION OF JOSEPH A. BARONE, JR. - SEEKING A SPECIAL PERMIT, SITE PLAN REVIEW, AND COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 4,710-SQ. FT., 1-STORY ADDITION TO THE EXISTING WAREHOUSE FACILITY IN AN I-L ZONE AND COASTAL AREA TO JUNE 24, 2019.**

**** COMMISSIONER CORDERO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(19-22) 1558 Barnum Ave. – Petition of 1558 Barnum Avenue, LLC – Seeking a special permit and site plan to permit the establishment of a recreational use in the existing industrial building in an MU-LI zone.

**** COMMISSIONER FIDELE MOVED TO APPROVE AGENDA ITEM (19-22) 1558 BARNUM AVE. – PETITION OF 1558 BARNUM AVENUE, LLC – SEEKING A SPECIAL PERMIT AND SITE PLAN TO PERMIT THE ESTABLISHMENT OF A RECREATIONAL USE IN THE EXISTING INDUSTRIAL BUILDING IN AN MU-LI ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 2. THE CONSUMPTION OF ALCOHOLIC BEVERAGES IS STRICTLY PROHIBITED WITH THE EXCEPTION OF CATERED EVENTS BY A DEPARTMENT OF LIQUOR CONTROL LICENSED CATERER.**

FOR THE FOLLOWING REASON:

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

***THIS SPECIAL PERMIT APPROVAL AS REQUIRED UNDER SEC. 14-4-5 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT SHALL EXPIRE ON JUNE 3, 2020.**

**** COMMISSIONER FILOTEI SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(19-23) 1234, 1294 & 1310 Huntington Tpk. – Petition of MTM Family Limited Partnership – Seeking a special permit and site plan review to permit the construction of a 1-story, 22,420-sq. ft. commercial building in an OR zone.

**** COMMISSIONER MORTON MOVED TO APPROVE AGENDA ITEM (19-23) 1234, 1294 & 1310 HUNTINGTON TPK. – PETITION OF MTM FAMILY LIMITED PARTNERSHIP – SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 1-STORY, 22,420-SQ. FT. COMMERCIAL BUILDING IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE COMMISSION.**
- 2. THE SHOPPING CENTER SHALL CONSIST OF A MAXIMUM OF 15 UNITS TO ENSURE THIS FACILITY BE A NEIGHBORHOOD SHOPPING CENTER RATHER THAN A BIG-BOX STORE.**

FOR THE FOLLOWING REASON:

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

***THIS SPECIAL PERMIT APPROVAL AS REQUIRED UNDER SEC. 14-4-5 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT SHALL EXPIRE ON JUNE 3, 2020.**

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

(19-24) 580-582 North Ave. – Petition of 580 North Avenue, LLC – Seeking a special permit and site plan review to permit the establishment of a retail convenience store in the gas station building currently under construction in an I-L zone.

**** COMMISSIONER GRAVINO MOVED TO CONTINUE AGENDA ITEM (19-24) 580-582 NORTH AVE. – PETITION OF 580 NORTH AVENUE, LLC – SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A RETAIL CONVENIENCE STORE IN THE GAS STATION BUILDING CURRENTLY UNDER CONSTRUCTION IN AN I-L ZONE TO JUNE 24, 2019.**

**** COMMISSIONER CORDERO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(19-25) 827 Trumbull Ave. – Petition of Northeast Conference of Seventh Day Adventist Church – Seeking a special permit and site plan review to permit the construction of a 2-story 63,724-sq. ft. addition to the existing house of worship building for classrooms, gymnasium, and enlarged worship area in an R-A zone.

**** COMMISSIONER MORENO MOVED TO CONTINUE AGENDA ITEM (19-25) 827 TRUMBULL AVE. – PETITION OF NORTHEAST CONFERENCE OF SEVENTH DAY ADVENTIST CHURCH – SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 2-STORY 63,724-SQ. FT. ADDITION TO THE EXISTING HOUSE OF WORSHIP BUILDING FOR CLASSROOMS, GYMNASIUM, AND ENLARGED WORSHIP AREA IN AN R-A ZONE TO JUNE 24, 2019.**

**** COMMISSIONER WALKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(19-26) 797 Washington Ave. – Petition of St. Joseph Charitable Center for the Poor & Needy, Inc. – Seeking a site plan review to permit the establishment of a 12-space parking lot to be used in conjunction with the Thomas Merton Center located at 43 Madison Avenue in an R-C zone.

**** COMMISSIONER WALKER MOVED TO APPROVE AGENDA ITEM (19-26) 797 WASHINGTON AVE. – PETITION OF ST. JOSEPH CHARITABLE CENTER FOR THE POOR & NEEDY, INC. – SEEKING A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A 12-SPACE PARKING LOT TO BE USED IN CONJUNCTION WITH THE THOMAS MERTON CENTER LOCATED AT 43 MADISON AVENUE IN AN R-C ZONE WITH THE FOLLOWING CONDITION:**

THE PETITIONER IS TO FULLY COMPLY WITH THE ZONING BOARD OF APPEALS' CONDITIONS OF APPROVAL.

FOR THE FOLLOWING REASON:

THE APPROVAL OF THIS PETITION WILL BE AN IMPROVEMENT TO THE IMMEDIATE AREA.

**** COMMISSIONER FEDELE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(19-27) 4219 Main St. & 50 Lourmel St. – Petition of McDonald's USA, LLC & Ralph Santa Lucia & Pamela Santa Lucia Co Trustee of the Santa Lucia Family

Trust – Seeking a zone change from Residential-A (R-A) zone and Office-Retail Regional (OR-R) zone to Office Retail (OR) zone; Beginning at a point at the intersection of the northerly street line of Lourmel Street and the westerly street line of Main Street; Thence S66°14'04"W a distance of 275.00' along the northerly street line of Lourmel Street; Thence N23°45'56"W a distance of 100.00' along land now or formerly of Emma J. Pincus; Thence N66°14'04"E a distance of 275.00' along land now or formerly of Palma Santa Lucia; and Thence S23°45'56"W a distance of 100.00' along the westerly street line of Main Street to the point and place of beginning and a special permit and site plan review for the construction of a 1-story 4,557-sq. ft. fast food restaurant in the proposed OR zone.

**** COMMISSIONER MORENO MOVED TO APPROVE AGENDA ITEM (19-27) 4219 MAIN ST. & 50 LOURMEL ST. – PETITION OF MCDONALD'S USA, LLC & RALPH SANTA LUCIA & PAMELA SANTA LUCIA CO TRUSTEE OF THE SANTA LUCIA FAMILY TRUST – SEEKING A ZONE CHANGE FROM RESIDENTIAL-A (R-A) ZONE AND OFFICE-RETAIL REGIONAL (OR-R) ZONE TO OFFICE RETAIL (OR) ZONE; BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY STREET LINE OF LOURMEL STREET AND THE WESTERLY STREET LINE OF MAIN STREET; THENCE S66°14'04"W A DISTANCE OF 275.00' ALONG THE NORTHERLY STREET LINE OF LOURMEL STREET; THENCE N23°45'56"W A DISTANCE OF 100.00' ALONG LAND NOW OR FORMERLY OF EMMA J. PINCUS; THENCE N66°14'04"E A DISTANCE OF 275.00' ALONG LAND NOW OR FORMERLY OF PALMA SANTA LUCIA; AND THENCE S23°45'56"W A DISTANCE OF 100.00' ALONG THE WESTERLY STREET LINE OF MAIN STREET TO THE POINT AND PLACE OF BEGINNING AND A SPECIAL PERMIT AND SITE PLAN REVIEW FOR THE CONSTRUCTION OF A 1-STORY 4,557-SQ. FT. FAST FOOD RESTAURANT IN THE PROPOSED OR ZONE WITH THE FOLLOWING CONDITION:**

THE DEVELOPMENT OF THE SUBJECT SITE SHALL BE IN STRICT ACCORD WITH THE PLAN SUBMITTED TO AND APPROVED BY THE COMMISSION.

FOR THE FOLLOWING REASONS:

- 1. THE OR ZONE IS MORE APPROPRIATE FOR A FAST FOOD RESTAURANT.**
- 2. A NEWLY DESIGNED BUILDING WILL BE AN ASSET TO THE AREA.**
- 3. THE IMPROVED VEHICLE STACKING AND DRIVE-THRU FACILITY SHOULD ELIMINATE ON-SITE CONGESTION.**

**** COMMISSIONER WALKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

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

**** COMMISSIONER MORTON MOVED TO REQUIRE THE MARINA VILLAGE APPLICANT WHO HAD REQUESTED TO CHANGE THE BRICK WITH VINYL SIDING AND REPLACING THE HARDEE BOARD WITH ANOTHER MATERIAL APPEAR BEFORE THE COMMISSION REGARDING THE REQUESTED CHANGE.**

**** COMMISSIONER MORENO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF MINUTES

Minutes of April 22, 2019 – Present: Acting Chair, Melville Riley. Commissioners: Robert Morton, Reginald Walker, Carlos Moreno, Robert Filotei, Cesar Cordero, and Arturo Gravina and Staff: Dennis Buckley, Zoning Official; Office of the City Attorney: Russell Liskov

**** COMMISSIONER WALKER MOVED TO APPROVE THE MINUTES OF APRIL 22, 2019.**

**** COMMISSIONER MORENO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COMMISSIONER FEDELE MOVED TO ADJOURN.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 11:05 p.m.

Respectfully submitted,

S. L. Soltes
Telesco Secretarial Services