

**CITY OF BRIDGEPORT  
ZONING BOARD OF APPEALS  
PUBLIC HEARING  
WEDNESDAY, NOVEMBER 9, 2016**

**ATTENDANCE:** Michael Piccirillo, Chairman; B. Oyiboka “Boca” Benson; Linda Grace; Maria Alves; Robin Shepard; John Carolan

**STAFF:** Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning Official; Diego Guevara, Design Review Coordinator

**CALL TO ORDER**

Mr. Piccirillo called the meeting to order at 6:10 p. m. A quorum was present.

**CONTINUED ITEMS**

No continued items were brought forward.

**DEFERRED ITEMS**

**D-1 (#3) 660 Lindley St. – Petition of 660 Development, LLC – Seeking a variance of the density requirement of 2,700 sq. ft. per residential unit and waiving 5’ of the minimum front setback requirement of Sec. 5-1-3; and also seeking to waive the minimum parking setback and perimeter landscaping requirements of Sec. 11-1-13 and 14 of the 66 required on-site parking spaces requirement of Sec. 11-1-2 to permit the construction of a 40-unit apartment complex consisting of four (4) 3-story buildings in an OR-G zone.**

Attorney Raymond Rizio came forward in favor of the item. He stated that the location had been in a Light Industrial Zone, it is now an OR Zone. A 40-unit apartment complex will be constructed. He stated that there have been no objections raised by neighbors, because the only neighbor is a cemetery. There will be access to the complex from Hart Street. He stated that there is plenty of on street parking on Hart Street and presented three pictures of Hart Street. He stated that there will be additional landscaping added along Lindley Street. He stated that the hardship is the unique shape of the property.

**D-2 (#4) 1038 Pembroke St. – Petition of Darbe & Stein PE, LLC – Seeking variances of the minimum density requirement of 2,700 sq. ft. per residential unit and 4’ of the minimum front setback of the required 15’ and 13’8” of the minimum side setback requirement of Sec. 5-1-3, as well as the ten (10) required on-site parking spaces of Sec. 11-1-2 to permit the renovation and expansion of the existing 4-unit apartment building into a 6-unit apartment building in an R-C zone.**

Mr. Gary Abellard came forward in favor of the item. He stated that the house was built in 1887. The roof slopes down on the sides so that the ceiling is very low around the outside of the third floor rooms. He

wishes to raise the roof so that ceilings will be higher and more comfortable for a potential tenant. There are two apartments on the first floor. Each has a separate entrance. There is a main entrance with access to each of the first floor apartments as well as an enclosed staircase to the second and third floors. He provided four pictures of the outside of the residence to show that there is usually ample parking available on the street. He stated that public transit is one and a half blocks away.

**D-3 (#5) 1001 Fairfield Ave. – Petition of T-Mobile Northeast, LLC – Seeking a variance of Sec. 4-4-1 to permit the installation of a telecommunications antenna approximately 8’ above the penthouse roof in an R-C zone.**

Mr. Mark Appleby came forward in favor of the item. He stated that the parapet wall has become an obstruction to an antenna in the alpha sector. The parapet is 64 feet high off the ground. The antenna height will be 77 feet from the ground. It will be painted to match the penthouse and will not be visible from the ground.

**NEW ITEMS**

**#1 98 Orland St. – Petition of Orland Street Management, LLC – Seeking a variance of the minimum amount of landscaping requirement under Sec. 5-1-3; also seeking a variance of the prohibition of stacked parking under Sec. 11-1-7 and a variance of three (3) of the seven (7) required off-street parking spaces under Sec. 11-1-2 to validate the additional 1st floor residential unit in the existing 5-family dwelling in an R-CC zone.**

Attorney Rizio came forward in favor of the item. He stated that the hardship is that this is a preexisting non-conforming building. In the past, the building had a store front was used to sell newspapers and coffee to the residents in the neighborhood. He stated that it is no longer a viable location for that type of store. The look and feel of the neighborhood would be improved if it became a residential building. It would be a stabilizing force in the neighborhood. He stated that additional landscaping would be added to the front of the fence in front of the building.

**#2 29 Federal St. – Petition of Brazilian Sports Club, LLC – Seeking to expunge condition #2 of the approval granted by the Zoning Board of Appeals on July 8, 2014 which permitted the establishment of a café restaurant with a consumer bar and patio permit to legalize the existing live entertainment in the dining area, as well as the patio area in the OR-G zone.**

Attorney John Tartaglia came forward in favor of the item. He stated that it will have no adverse impact on the neighborhood and is in keeping with the feel of the neighborhood. He stated that there is off-site parking at LaRocca Garage to accommodate 70 cars. He stated that there is a lease agreement in place with LaRocca and that it is in effect for the next 30 years. Mr. Piccirillo asked Atty. Tartaglia if he had a copy of the lease with him. Atty. Tartaglia stated that he did not have a copy of the lease.

Ms. Grace read a letter of opposition from Ms. Mary LaRocca into the record. Ms. LaRocca stated that the parking situation is a disaster, and the existing parking is not enough to accommodate the new business that the item would generate.

Mr. Piccirillo stated that the item will be continued in order to give Atty. Tartaglia an opportunity to present a copy of the lease with LaRocca.

**#3 2960 (aka 2948) Fairfield Ave. – Petition of Sean Nye/Café Seanmichael – Seeking variances of the maximum site coverage; minimum landscaping and the 5’ buffer strip abutting a residential zone requirements of Sec. 6-1-3 and also seeking to waive 12 of the on-site parking space requirement of Sec. 11-1-2, as well as a variance of Sec. 12-10b to permit the establishment of a café liquor use and the issuance of a café liquor permit in the existing commercial building in an OR zone. WITHDRAWN on 11/02/16.**

The item was withdrawn on November 2, 2016.

#### **OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD**

Discussion was had on scheduling a Christmas Dinner for the commissioners.

#### **DECISION SESSION**

#### **DEFERRED ITEMS**

**D- 1 # 3 660 LINDLEY STREET – Seeking variances of the density requirement of 2,700 sq. ft. of property per residential unit and 5’ of the minimum front setback requirement of Sec. 5-1-3; the minimum parking setback and perimeter landscaping requirements of Sec. 11-1-13, as well as the prohibition of stacked parking spaces of Sec. 11-1-7 to permit the construction of a 40-unit apartment complex comprised of four (4) 3-story buildings in an OR-G zone.**

**\*\* MS. SHEPARD MOVED TO GRANT APPROVAL OF ITEM D-1 #3 660 LINDLEY STREET – SEEKING VARIANCES OF THE DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT AND 5’ OF THE MINIMUM FRONT SETBACK REQUIREMENT OF SEC. 5-1-3; THE MINIMUM PARKING SETBACK AND PERIMETER LANDSCAPING REQUIREMENTS OF SEC. 11-1-13, AS WELL AS THE PROHIBITION OF STACKED PARKING SPACES OF SEC. 11-1-7 TO PERMIT THE CONSTRUCTION OF A 40-UNIT APARTMENT COMPLEX COMPRISED OF FOUR (4) 3-STORY BUILDINGS IN AN OR-G ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. The development of the subject site shall be in strict accord with the revised plan submitted to and approved by the Board.**
- 2. The development shall also incorporate all of the recommendations of the City Engineer in his letter dated 09/13/16.**

**3. The petitioner shall file plans and applications for the issuance of a Certificate of Zoning Compliance and a Building Permit.**

**FOR THE FOLLOWING REASONS:**

- 1. The granting of this petition will be a vast improvement to an older neighborhood in the City.**
- 2. Provides new residential units convenient to the medical center and Route 8 and the I-95 corridor.**

**\*\* MS. ALVES SECONDED THE MOTION.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**ITEM D-2 (#4) RE: 1038 PEMBROKE STREET – Seeking variances of the minimum density requirement of 2,700 sq. ft. per residential unit and 4’ of the minimum front setback of the required 15’ and 13’8” of the minimum side setback requirement of Sec. 5-1-3, as well as the ten (10) required on-site parking spaces of Sec. 11-1-2 to permit the renovation and expansion of the existing 4-unit apartment building into a 6-unit apartment building in an R-C zone.**

**\*\* MS. GRACE MOVED TO GRANT APPROVAL OF ITEM D-2 (#4) RE: 1038 PEMBROKE STREET – SEEKING VARIANCES OF THE MINIMUM DENSITY REQUIREMENT OF 2,700 SQ. FT. PER RESIDENTIAL UNIT AND 4’ OF THE MINIMUM FRONT SETBACK OF THE REQUIRED 15’ AND 13’8” OF THE MINIMUM SIDE SETBACK REQUIREMENT OF SEC. 5-1-3, AS WELL AS THE TEN (10) REQUIRED ON-SITE PARKING SPACES OF SEC. 11-1-2 TO PERMIT THE RENOVATION AND EXPANSION OF THE EXISTING 4-UNIT APARTMENT BUILDING INTO A 6-UNIT APARTMENT BUILDING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. The development of the subject site shall be in strict accord with the revised plan submitted to and approved by the Board.**
- 2. The development shall also incorporate all of the recommendations of the City Engineer in his letter dated 09/09/16.**
- 3. The petitioner shall file plans and applications for the issuance of a Certificate of Zoning Compliance and a Building Permit.**

**For the following REASONS:**

- 1. The granting of this petition will be a vast improvement to an older neighborhood in the City.**
- 2. Converts a vacant, blighted property into six (6) new residential units**

**\*\* MR. CAROLAN SECONDED THE MOTION.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**ITEM D-3 (#5) RE: 1001 FAIRFIELD AVENUE – Seeking a variance of Sec. 4-4-1 to permit the installation of a telecommunications antenna approximately 8’ above the penthouse roof in an R-C zone.**

**\*\* MS. GRACE MOVED TO GRANT APPROVAL OF ITEM D-3 (#5) RE: 1001 FAIRFIELD AVENUE – SEEKING A VARIANCE OF SEC. 4-4-1 TO PERMIT THE INSTALLATION OF A TELECOMMUNICATIONS ANTENNA APPROXIMATELY 8’ ABOVE THE PENTHOUSE ROOF IN AN R-C 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 installation of equipment shall be in strict accord with the plan submitted to and approved by the Board.**

**FOR THE FOLLOWING REASONS:**

- 1. Granting of this application will have no unacceptable impact on the neighborhood.**
- 2. Provides additional and better quality reception for the cellular customers in the Bridgeport area.**

**\*\* MS. GRACE SECONDED THE MOTION.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

#### **NEW ITEMS**

**ITEM #1RE: 98 ORLAND STREET – Seeking a variance of the minimum amount of landscaping requirement under Sec. 5-1-3; also seeking a variance of the prohibition of stacked parking under Sec. 11-1-7 and a variance of three (3) of the seven (7) required off-street parking spaces under Sec. 11-1-2 to validate the additional 1st floor residential unit in the existing 5-family dwelling in an R-CC zone.**

**\*\* MS. GRACE MOVED TO GRANT APPROVAL FOR ITEM #1RE:98 ORLAND STREET – SEEKING A VARIANCE OF THE MINIMUM AMOUNT OF LANDSCAPING REQUIREMENT UNDER SEC. 5-1-3; ALSO SEEKING A VARIANCE OF THE PROHIBITION OF STACKED PARKING UNDER SEC. 11-1-7 AND A VARIANCE OF THREE (3) OF THE SEVEN (7) REQUIRED OFF-STREET PARKING SPACES UNDER SEC. 11-1-2 TO VALIDATE THE ADDITIONAL 1ST FLOOR RESIDENTIAL UNIT IN THE EXISTING 5-FAMILY DWELLING IN AN R-CC ZONE WITH THE FOLLOWING CONDITIONS:**

1. The development of the subject site shall be in strict accord with the revised plan submitted to and approved by the Board.
2. The front of the subject premises shall be planted to the L-2 standards and properly maintained and replaced if necessary.
3. The petitioner shall file plans and applications for the issuance of a Certificate of Zoning Compliance and a Building Permit.

**FOR THE FOLLOWING REASONS:**

1. A residential unit is less intrusive than a retail outlet.
2. The granting of this petition will have no unacceptable impact on the neighborhood.

**\*\* MS. SHEPARD SECONDED THE MOTION.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**ITEM #2 RE: 29 FEDERAL STREET – Seeking to expunge condition #2 of the approval granted by the Zoning Board of Appeals on July 8, 2014 which permitted the establishment of a café restaurant with a consumer bar and patio permit to legalize the existing live entertainment in the dining area, as well as the patio area in the OR-G zone.**

**\*\* MS. GRACE MOVED TO CONTINUE ITEM #2 RE: 29 FEDERAL STREET – SEEKING TO EXPUNGE CONDITION #2 OF THE APPROVAL GRANTED BY THE ZONING BOARD OF APPEALS ON JULY 8, 2014 WHICH PERMITTED THE ESTABLISHMENT OF A CAFÉ RESTAURANT WITH A CONSUMER BAR AND PATIO PERMIT TO LEGALIZE THE EXISTING LIVE ENTERTAINMENT IN THE DINING AREA, AS WELL AS THE PATIO AREA IN THE OR-G ZONE TO TUESDAY, DECEMBER 13, 2016 IN ORDER FOR APPLICANT TO PROVIDE A COPY OF THE LONG TERM LEASE AGREEMENT WITH LAROCCA GARAGE.**

**\*\* MR. CAROLAN SECONDED THE MOTION.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**ITEM #3 RE: 2960 (aka 2948) FAIRFIELD AVENUE – Seeking variances of the maximum site coverage; minimum landscaping and the 5’ buffer strip abutting a residential zone requirements of Sec. 6-1-3 and also seeking to waive 12 of the on-site parking space requirement of Sec. 11-1-2, as well as a variance of Sec. 12-10b to permit the establishment of a café liquor use and the issuance of a café liquor permit in the existing commercial building in an OR zone.**

The item was withdrawn on November 2, 2016.

**APPROVAL OF MINUTES**

- \*\* MS. GRACE MOVED TO APPROVE THE MINUTES OF THE OCTOBER 4, 2016 MEETING**
- \*\* MS. ALVES SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**ADJOURNMENT**

- \*\* MR. CAROLAN MOVED TO ADJOURN.**
- \*\* MS. GRACE SECONDED THE MOTION.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 7:33 p. m.

Respectfully submitted,

Tom Blaney  
Telesco Secretarial Services