

**CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
FEBRUARY 15, 2017**

ATTENDANCE: Linda Grace, Acting Chair; Maria Alves; John Carolan; Robin Shepard; Boca Benson

STAFF: Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning Official; Russel Liskov, City Attorney

CALL TO ORDER

Ms. Grace called the meeting to order at 6:07 p. m. A quorum was present.

CONTINUED ITEMS

No continued items were brought forward.

DEFERRED ITEMS

No deferred items were brought forward.

NEW ITEMS

1534 Seaview Ave. – Petition of Bridgeport Neighborhood Trust – Seeking to expunge a condition of approval to a petition granted by the Zoning Board of Appeals on April 14, 2015, which permitted community room use by residents only in the office space on the 1st floor in a mixed use building with no on-site parking in an I-L zone.

Elizabeth Torres came forward in favor of the item. She stated that on April 14, 2016, the project was approved with the condition that the first floor be used for a tenant use. She stated she would like the condition removed and that Bridgeport Neighborhood Trust be able to use the first floor for office space of any type. She stated that a lease has been signed to grant access to the parking lot next door. The lot next door has not been striped yet, but it would have six parking spaces. She stated that the tenants in the second floor apartments would be unlikely to have cars, and would not be using parking spaces. She stated that while she does not know the specific type of office use that would be put in on the first floor but that she is not looking to put in a retail business.

Ms. Torres requested that the Board grant a continuance on the item.

415-417 Midland St. – Petition of Joseph M. Formato – Seeking a use variance of Sec. 5-1-2 and also seeking variances of the minimum parking space size of 9' x 20' under Sec. 11-1-10; the prohibition of stacked parking spaces of Sec. 11-1-7 and the perimeter landscaping requirement of Sec. 11-1-13 to legalize the existing 3rd floor apartment in an R-B zone and coastal area.

Mr. Joseph Formato came forward in favor of the item. He stated that he is seeking to legalize the existing 3rd floor apartment. He stated that there is a separate entrance for the third floor apartments. He stated that the parking area work is completed. The drainage work is finished. He stated that work will be done on the exterior of the house. He has not decided if it will be wood or vinyl siding. He stated that it will approve the ascetics of the neighborhood. He stated that fire rated doors will be installed.

113-117 Washington Terrace – Petition of Continuum Management Corporation – Seeking a use variance of Sec. 5-1-2 and also seeking to waive 3 of the 6 required off-street parking spaces of Sec. 11-1-2; the prohibition of stacked parking spaces of Sec. 11-1-7; and the minimum parking setback and the perimeter landscaping requirements of Sec. 11-1-13 to permit the conversion of the existing illegal 3-family dwelling into a group home in an R-B zone.

Attorney Raymond Rizio came forward in favor of the item. He stated that the house has historically been used as a 3 family residence. He stated that Continuum is a well-respected organization, and has the support of the neighbors. He stated that the lot is limited by its shape and topography. He stated that there will be no more than four employees there during any given shift. This enables parking issues to be controlled while the stacked parking would be unmanageable if it was used by three families.

Atty. Rizio stated that the average stay for the patients is 14 days and they are not permitted to have cars while they are there. There will be no on street parking. He submitted a petition in favor of Continuum signed by 14 residents of the surrounding neighborhood. He also provided four letters of support.

Mr. John Labinic came forward in favor if the item. He stated that people that come to Continuum for help have been referred by hospitals or state agencies. They have been screened, and are not coming to Continuum from off the street. He stated that they are the most vulnerable in society and we target those who would otherwise fall through the cracks.

Atty. Rizio recommended voluntary conditions of approval. He stated that there should not be a kitchen on the third floor. He stated that there should be verifiable restrictions on the number of residents at any given time. He stated that there should be restrictions on the number of employees. He stated that residents should not be allowed to have cars. He stated that it should be required that the property be maintained. He stated that it should be a requirement that the property return to a 2 family dwelling if the program ended. He provided photos of the exterior of the house.

Ms. Patty Walker came forward in favor of the item. She stated that this program is specifically for Bridgeport and cannot be located in other municipalities.

Mr. Jack Banta came forward in favor of the item. He stated that the interior of the house has been totally restored. The house is beautiful, and has a positive impact on the neighborhood.

Ms. Debbie Barton came forward in favor of the item. She stated that organizations like Continuum are more important than ever and provide essential services.

OTHER BUSINESS OR CONSENT ITEMS

No items were brought forward.

TABLED ITEMS

No items were brought forward.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD

No items were brought forward.

DECISION SESSION

1534 Seaview Ave. – Petition of Bridgeport Neighborhood Trust – Seeking to expunge a condition of approval to a petition granted by the Zoning Board of Appeals on April 14, 2015, which permitted community room use by residents only in the office space on the 1st floor in a mixed use building with no on-site parking in an I-L zone.

- ** MS. ALVES MOVED TO GRANT A CONTINUANCE FOR 1534 SEAVIEW AVE. – PETITION OF BRIDGEPORT NEIGHBORHOOD TRUST – SEEKING TO EXPUNGE A CONDITION OF APPROVAL TO A PETITION GRANTED BY THE ZONING BOARD OF APPEALS ON APRIL 14, 2015, WHICH PERMITTED COMMUNITY ROOM USE BY RESIDENTS ONLY IN THE OFFICE SPACE ON THE 1ST FLOOR IN A MIXED USE BUILDING WITH NO ON-SITE PARKING IN AN I-L ZONE IN ORDER TO PROVIDE THE BOARD WITH MORE SPECIFIC INFORMATION REGARDING THE PROPOSED 1ST FLOOR TENANTS.**
- ** MR. CAROLAN SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

415-417 Midland St. – Petition of Joseph M. Formato – Seeking a use variance of Sec. 5-1-2 and also seeking variances of the minimum parking space size of 9' x 20' under Sec. 11-1-10; the prohibition of stacked parking spaces of Sec. 11-1-7 and the perimeter landscaping requirement of Sec. 11-1-13 to legalize the existing 3rd floor apartment in an R-B zone and coastal area.

- ** MR. CAROLAN MOVED TO GRANT 415-417 MIDLAND ST. – PETITION OF JOSEPH M. FORMATO – SEEKING A USE VARIANCE OF SEC. 5-1-2 AND ALSO SEEKING VARIANCES OF THE MINIMUM PARKING SPACE SIZE OF 9' X 20' UNDER SEC. 11-1-10; THE PROHIBITION OF STACKED PARKING SPACES OF SEC. 11-1-7 AND THE PERIMETER LANDSCAPING REQUIREMENT OF SEC. 11-1-13 TO LEGALIZE THE EXISTING 3RD FLOOR APARTMENT IN AN R-B ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT PROPERTY SHALL BE IN ACCORD WITH THE PLANS SUBMITTED AND HELD ON FILE IN THE ZONING DEPARTMENT.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

3. ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE BASIC BUILDING CODE OF THE STATE OF CT.

4. THE PETITIONER SHALL REPAIR AND PAINT WOOD SHINGLES AND SURFACES OR INSTALL VINYL SIDING WITHIN SIX (6) MONTHS OF THIS APPROVAL.

FOR THE FOLLOWING REASONS:

1. LEGALIZES AN EXISTING CONDITION

2. ADEQUATE OFF-STREET PARKING PROVIDED.

3. CONFORMS WITH OTHER HOMES IN THE IMMEDIATE AREA.

4. IMPROVES THE APPEARANCE OF A HOME IN NEED OF REPAIR.

5. PREVIOUS APPROVAL (VARIANCE) WAS NOT FILED ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT.

**** MS. SHEPARD SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

113-117 Washington Terrace – Petition of Continuum Management Corporation – Seeking a use variance of Sec. 5-1-2 and also seeking to waive 3 of the 6 required off-street parking spaces of Sec. 11-1-2; the prohibition of stacked parking spaces of Sec. 11-1-7; and the minimum parking setback and the perimeter landscaping requirements of Sec. 11-1-13 to permit the conversion of the existing illegal 3-family dwelling into a group home in an R-B zone.

**** MR. CAROLAN MOVED TO GRANT 113-117 WASHINGTON TERRACE – PETITION OF CONTINUUM MANAGEMENT CORPORATION – SEEKING A USE VARIANCE OF SEC. 5-1-2 AND ALSO SEEKING TO WAIVE 3 OF THE 6 REQUIRED OFF-STREET PARKING SPACES OF SEC. 11-1-2; THE PROHIBITION OF STACKED PARKING SPACES OF SEC. 11-1-7; AND THE MINIMUM PARKING SETBACK AND THE PERIMETER LANDSCAPING REQUIREMENTS OF SEC. 11-1-13 TO PERMIT THE CONVERSION OF THE EXISTING ILLEGAL 3-FAMILY DWELLING INTO A GROUP HOME IN AN R-B ZONE WITH THE FOLLOWING CONDITIONS:**

1. NO MORE THAN TEN (10) RESIDENTS SHALL BE ALLOWED TO OCCUPY THE DWELLING AT ANY GIVEN TIME AS PERMITTED BY THE PETITIONER’S CONTRACT WITH THE STATE OF CT.

2. NO KITCHEN OR COOKING EQUIPMENT SHALL BE PERMITTED ON THE 3RD FLOOR OF THE BUILDING.

3. EVERY JANUARY, THE PETITIONER SHALL SUBMIT A CENSUS LOG, WHICH LISTS THE RESIDENTS AND THE DURATION OF THEIR STAY DURING THE PRIOR YEAR, TO THE CITY OF BRIDGEPORT ZONING DEPARTMENT. THE CITY OF BRIDGEPORT ACKNOWLEDGES THAT THE PETITIONER MUST WITHHOLD

THE GIVEN NAMES OF THE RESIDENTS DUE TO CONFIDENTIALITY, BUT THE CENSUS LOG SHALL INDICATE RESIDENTS SEPARATELY ALONG WITH THEIR RELEVANT INFORMATION.

4. NO MORE THAN FOUR (4) EMPLOYEES SHALL BE ALLOWED AT THE SITE PER SHIFT AT ANY GIVEN TIME.

5. RESIDENTS SHALL NOT BE ALLOWED TO PARK OR STORE ANY VEHICLES ON-SITE.

6. THE PETITIONER SHALL SUBMIT THE RESULTS OF THEIR ANNUAL INSPECTION CONDUCTED BY THE STATE OF CT FOR THE PURPOSED OF WORKER'S COMPENSATION TO THE BRIDGEPORT ZONING DEPARTMENT UPON RECEIPT.

7. SHOULD THE PETITIONER OR ANY OF ITS SUBSIDIARIES AND RELATED ENTITIES CEASE THE USE OF THE DWELLING AS A GROUP HOME OF THE MENTALLY AND PHYSICALLY DISABLED, THE USE OF THE PROPERTY SHALL REVERT TO A 2-FAMILY DWELLING AND THIS CONDITION SHALL BE FILED ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT.

REASONS:

1. DUE TO THE UNIQUE TOPOGRAPHY OF THE LOT AND RESTRICTED ACCESS, THE PROPERTY CANNOT PROVIDE ADEQUATE PARKING FOR THE USE PERMITTED IN THE ZONE IN WHICH THE PROPERTY IS LOCATED.

2. THE ABOVE PROPOSED CONDITIONS FOR THE USE REQUESTED PROVIDE THE NECESSARY PROTECTION TO PREVENT ANY DETRIMENTAL EFFECT ON THE HEALTH, SAFETY AND WELFARE OF THE SURROUNDING RESIDENTS AND WILL HAVE NO NEGATIVE IMPACT ON THE VALUE OF THE SURROUNDING PROPERTIES.

3. STRICT ENFORCEMENT OF THE REGULATIONS WILL CAUSE A HARDSHIP OF THE APPLICANT AND DENY APPLICANT ITS MOST APPROPRIATE USE FOR THE PROPERTY.

4. THE SUPPORT AND NEED FOR THIS FACILITY IN BRIDGEPORT WAS WELL DOCUMENTED BY BOTH LOCAL HOSPITALS, AS WELL AS THE STATE DEPARTMENT OF MENTAL HEALTH.

** MR. BENSON SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES

January 10, 2017

** MR. CAROLAN MOVED TO APPROVE THE JANUARY 10, 2017 MINUTES AS SUBMITTED.

** MR. BENSON SECONDED THE MOTION.

** THE MOTION PASSED UNANIMOUSLY.

The meeting was adjourned at 7:25 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services