

**CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
MARCH 20, 2018**

ATTENDANCE: Michael Piccirillo, Chair; Linda Grace; Robin Shepard; John Carolan; Maria Alves

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

I. CALL TO ORDER

Chairman Piccirillo called the meeting to order at 6:08 p. m.

II. ROLL CALL

Chairman Piccirillo called the roll, and a quorum was present.

III. PUBLIC HEARING

D-1 (#2) 186 Ohio Ave. – Petition of V&L Properties, LLC – Seeking a variance of the prohibition of dividing a conforming lot into two (2) non-conforming lots under Sec. 4-12-5b and also to validate the existing 2-family dwelling on a lot with the minimum area, width and landscaping under Sec. 5-1-3 in an R-B zone.

Attorney Raymond Rizio came forward and requested that the item be continued.

D-2 (#3) 196 Ohio Ave. – Petition of V&L Properties, LLC – Seeking a variance of the minimum lot area and width and also to waive the minimum setback requirement and the required 2,700-sq. ft. of property per residential unit under Sec. 5-1-3 to permit the construction of a 2-family dwelling in an R-B zone.

Atty. Rizio came forward and requested that the item be continued.

#2 120, 140, 152 Morgan Ave. – Petition of KMF Bridgeport, LLC – Seeking variances of the minimum landscaping requirements; the maximum site coverage requirements and the minimum density requirement of 2,700-sq. ft. of property per residential unit under Sec. 5-1-3 and also seeking a variance of 13 of the 31 required off-street parking spaces of Sec. 11-1-2 to legalize two (2) basement apartments in the existing three building apartment complex in an R-C zone.

Atty. Rizio came forward and requested that the item be deferred.

#3 1492 Stratford Ave. – Petition of Newfield Tree Social Club, LLC – Seeking to expunge a condition of approval on a petition granted by the Zoning Board of Appeals on 10/12/17, which sought variances of landscaping and off-street parking requirements to establish a social club in an OR-G zone.

Mr. Richard Barr came forward in support of the item. He stated that he had come forward with a petition which was granted by the Zoning Board of Appeals on October 12, 2017. He stated that he would like to have conditions of approval for that petition expunged. He stated that he has gotten price quotes for work on paving the driveway and doing landscaping on the property. He stated that the price quotes came in high and he will not be able to comply with the conditions of approval.

Mr. Barr stated that he is willing to repaint the building and put in trees around the perimeter of the lot.

Mr. Ernie Newton came forward in support of the item. He stated that Newfield Tree Social Club has had a positive impact on the neighborhood. He stated that the trees that Mr. Barr is willing to plant around the perimeter of the lot will be sufficient to improve the appearance of the lot.

#4 1900 Fairfield Ave. – Petition of McDonald’s USA, LLC – Seeking a variance of the prohibition of expanding a nonconforming use of Sec. 4-12-3a to permit an additional drive-thru lane at the existing fast food restaurant in an MU-LI zone.

Atty. Rizio came forward in support of the item. He stated that an esplanade was recently installed which has resulted in the McDonald’s having only one entrance/exit. He stated that there are problems with congestion in the parking lot and with customers cutting the drive through line.

Atty. Rizio stated that the menu board on the west side of the building will be moved to the side of the building facing Fairfield Avenue. He stated that the new placement of the menu board, and a double order board system, will prevent drivers from being able to cut the drive through line. He stated that landscaping will be added to the front of the building which will prevent drivers from taking a left after entering the lot. He stated that preventing them from taking a left will create a one-way traffic flow and ease congestion.

#5 585 Norman St. – Petition of MSL Group, Inc. – Seeking variances of Sec. 4-9-1 and 5-1-3 of the front yard setback; the overall sq. ft. size and height requirements of accessory structures to permit the construction of solar panel carports at the existing apartment building in an R-C zone.

Atty. Rizio came forward in support of the item. He stated that there is subsidized senior housing at this location. The installation of solar panels will reduce the cost of electricity for the tenants. He stated that the panels will provide covered parking for the tenants. He stated that the panels need to be placed in the outer part of the parking lot in order to avoid being in the shadow of the building. Atty. Rizio stated that the solar panels cannot be placed on the roof of the building because the roof is not big enough.

#6 285 Maplewood Ave. – Petition of MSL Group, Inc. – Seeking variances of Sec. 4-9-1 and 5-1-3 of the front yard setback; the overall sq. ft. size and height requirements of accessory structures to permit the construction of solar panel carports at the existing apartment building in an R-C zone.

Atty. Rizio came forward in support of the item. He stated that the building is tall and narrow. The solar panels cannot be placed on the roof. He stated that the panels have to be placed on the outer part of

the lot in order to avoid the shadow of the building. He stated that the solar panels will lower electricity costs for the tenants.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD

No items were brought forward.

APPROVAL OF MINUTES

Approval of ZBA Minutes for February 27, 2018 – Present: Chairperson: Michael Piccirillo; Commissioners: John Carolan, Maria Alves, Robin Shepard and Robin Shepard. Staff: Dennis Buckley, Zoning Clerk and Paul Boucher, Assistant Zoning Official. City Attorney: Russell Liskov.

- ** COMMISSIONER GRACE MOVED TO APPROVE THE FEBRUARY 27, 2018 MINUTES AS SUBMITTED.**
- ** COMMISSIONER CAROLAN SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

DECISION SESSION

D-1 (#2) 186 Ohio Ave. – Petition of V&L Properties, LLC – Seeking a variance of the prohibition of dividing a conforming lot into two (2) non-conforming lots under Sec. 4-12-5b and also to validate the existing 2-family dwelling on a lot with the minimum area, width and landscaping under Sec. 5-1-3 in an R-B zone.

- ** COMMISSIONER GRACE MOVED TO CONTINUE D-1 (#2) 186 OHIO AVE. – PETITION OF V&L PROPERTIES, LLC – SEEKING A VARIANCE OF THE PROHIBITION OF DIVIDING A CONFORMING LOT INTO TWO (2) NON-CONFORMING LOTS UNDER SEC. 4-12-5B AND ALSO TO VALIDATE THE EXISTING 2-FAMILY DWELLING ON A LOT WITH THE MINIMUM AREA, WIDTH AND LANDSCAPING UNDER SEC. 5-1-3 IN AN R-B ZONE TO MAY 8, 2018.**
- ** COMMISSIONER ALVES SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

D-2 (#3) 196 Ohio Ave. – Petition of V&L Properties, LLC – Seeking a variance of the minimum lot area and width and also to waive the minimum setback requirement and the required 2,700-sq. ft. of property per residential unit under Sec. 5-1-3 to permit the construction of a 2-family dwelling in an R-B zone.

- ** COMMISSIONER CAROLAN MOVED TO CONTINUE D-2 (#3) 196 OHIO AVE. – PETITION OF V&L PROPERTIES, LLC – SEEKING A VARIANCE OF THE MINIMUM LOT AREA AND WIDTH AND ALSO TO WAIVE THE MINIMUM SETBACK REQUIREMENT AND THE REQUIRED 2,700-SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2-FAMILY DWELLING IN AN R-B ZONE TO MAY 8, 2018.**
- ** COMMISSIONER ALVES SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

#2 120, 140, 152 Morgan Ave. – Petition of KMF Bridgeport, LLC – Seeking variances of the minimum landscaping requirements; the maximum site coverage requirements and the minimum density requirement of 2,700-sq. ft. of property per residential unit under Sec. 5-1-3 and also seeking a variance of 13 of the 31 required off-street parking spaces of Sec. 11-1-2 to legalize two (2) basement apartments in the existing three building apartment complex in an R-C zone.

**** COMMISSIONER GRACE MOVED TO DEFER 120, 140, 152 MORGAN AVE. – PETITION OF KMF BRIDGEPORT, LLC – SEEKING VARIANCES OF THE MINIMUM LANDSCAPING REQUIREMENTS; THE MAXIMUM SITE COVERAGE REQUIREMENTS AND THE MINIMUM DENSITY REQUIREMENT OF 2,700-SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT UNDER SEC. 5-1-3 AND ALSO SEEKING A VARIANCE OF 13 OF THE 31 REQUIRED OFF-STREET PARKING SPACES OF SEC. 11-1-2 TO LEGALIZE TWO (2) BASEMENT APARTMENTS IN THE EXISTING THREE BUILDING APARTMENT COMPLEX IN AN R-C ZONE TO APRIL 10, 2018.**

**** COMMISSIONER CAROLAN SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

#3 1492 Stratford Ave. – Petition of Newfield Tree Social Club, LLC – Seeking to expunge a condition of approval on a petition granted by the Zoning Board of Appeals on 10/12/17, which sought variances of landscaping and off-street parking requirements to establish a social club in an OR-G zone.

**** COMMISSIONER ALVES MOVED TO APPROVE 1492 STRATFORD AVE. – PETITION OF NEWFIELD TREE SOCIAL CLUB, LLC – SEEKING TO EXPUNGE A CONDITION OF APPROVAL ON A PETITION GRANTED BY THE ZONING BOARD OF APPEALS ON 10/12/17, WHICH SOUGHT VARIANCES OF LANDSCAPING AND OFF-STREET PARKING REQUIREMENTS TO ESTABLISH A SOCIAL CLUB IN AN OR-G ZONE WITH THE FOLLOWING CONDITIONS:**

1. THE PERIMETER OF PARKING LOT TO BE PLANTED TO THE L-2 STANDARDS AND TWO (2) ARBORVITAE IN PLANTERS TO BE PLACED ALONG THE FRONT PROPERTY LINE ABUTTING THE SIDEWALK.

2. THE EXTERIOR OF THE SUBJECT PREMISES SHALL BE PAINTED TO IMPROVE ITS APPEARANCE.

**** COMMISSIONER SHEPARD SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

#4 1900 Fairfield Ave. – Petition of McDonald’s USA, LLC – Seeking a variance of the prohibition of expanding a nonconforming use of Sec. 4-12-3a to permit an additional drive-thru lane at the existing fast food restaurant in an MU-LI zone.

**** COMMISSIONER MOVED TO APPROVE 1900 FAIRFIELD AVE. – PETITION OF MCDONALD’S USA, LLC – SEEKING A VARIANCE OF THE PROHIBITION OF EXPANDING A NONCONFORMING USE OF**

SEC. 4-12-3A TO PERMIT AN ADDITIONAL DRIVE-THRU LANE AT THE EXISTING FAST FOOD RESTAURANT IN AN MU-LI ZONE WITH THE FOLLOWING CONDITIONS:

- 1. THE REDEVELOPMENT OF THE SUBJECT SITE SHALL BE IN STRICT ACCORD WITH THE PLAN SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. ALL RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER OF 02/21/2018 SHALL BE INCORPORATED INTO THE REDEVELOPMENT OF THE SUBJECT PREMISES.**

FOR THE FOLLOWING REASONS:

- 1. THE PROPOSED RECONFIGURATION FOR VEHICLES ENTERING AND EXITING THE SITE WILL BE MORE EFFICIENT AND OF GREATER SAFETY TO MOTORISTS AS WELL AS PEDESTRIANS.**
- 2. THE UNIQUE SHAPE OF THIS PARCEL OF PROPERTY, ALONG WITH THE LIMITATIONS DUE TO THE NEWLY INSTALLED ESPLANADE NECESSITATE THE CHANGES PRESENTED TO AND APPROVED BY THE BOARD.**

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

#5 585 Norman St. – Petition of MSL Group, Inc. – Seeking variances of Sec. 4-9-1 and 5-1-3 of the front yard setback; the overall sq. ft. size and height requirements of accessory structures to permit the construction of solar panel carports at the existing apartment building in an R-C zone.

**** COMMISSIONER GRACE MOVED TO APPROVE 585 NORMAN ST. – PETITION OF MSL GROUP, INC. – SEEKING VARIANCES OF SEC. 4-9-1 AND 5-1-3 OF THE FRONT YARD SETBACK; THE OVERALL SQ. FT. SIZE AND HEIGHT REQUIREMENTS OF ACCESSORY STRUCTURES TO PERMIT THE CONSTRUCTION OF SOLAR PANEL CARPORTS AT THE EXISTING APARTMENT BUILDING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE CONSTRUCTION AND LOCATION OF THE ACCESSORY STRUCTURES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 3. ALL CONSTRUCTION SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.**

FOR THE FOLLOWING REASONS:

- 1. AS CAR PORTS THE ACCESSORY STRUCTURES WILL PROVIDE PROTECTION FROM THE ELEMENTS, AS WELL AS PRODUCE POWER GENERATED BY THE SUN.**
- 2. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.**

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

#6 285 Maplewood Ave. – Petition of MSL Group, Inc. – Seeking variances of Sec. 4-9-1 and 5-1-3 of the front yard setback; the overall sq. ft. size and height requirements of accessory structures to permit the construction of solar panel carports at the existing apartment building in an R-C zone.

**** COMMISSIONER GRACE MOVED TO APPROVE 285 MAPLEWOOD AVE. – PETITION OF MSL GROUP, INC. – SEEKING VARIANCES OF SEC. 4-9-1 AND 5-1-3 OF THE FRONT YARD SETBACK; THE OVERALL SQ. FT. SIZE AND HEIGHT REQUIREMENTS OF ACCESSORY STRUCTURES TO PERMIT THE CONSTRUCTION OF SOLAR PANEL CARPORTS AT THE EXISTING APARTMENT BUILDING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

1. THE CONSTRUCTION AND LOCATION OF THE ACCESSORY STRUCTURE SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.

2. THE PETITIONER SHALL FILE PLAN AND APPLICATION FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.

3. ALL CONSTRUCTION SHALL COMPLY WITH THE BASIC BUILDING CODE OF THE STATE OF CT.

FOR THE FOLLOWING REASONS:

1. AS CAR PORTS THE ACCESSORY STRUCTURES WILL PROVIDE PROTECTION FROM THE ELEMENTS, AS WELL AS PRODUCE POWER GENERATED BY THE SUN.

2. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.

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

ADJOURNMENT

**** COMMISSIONER CAROLAN MOVED TO ADJOURN.
** COMMISSIONER GRACE SECONDED THE MOTION.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 6:58 p. m.

Respectfully submitted,

Tom Blaney
Telesco Secretarial Services

City of Bridgeport
Zoning Board of Appeals
March 20, 2018
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