



ZONING BOARD OF APPEALS
NOVEMBER 12, 2019
REGULAR MEETING
CITY OF BRIDGEPORT

45 Lyon Terrace
Bridgeport, CT 06604
(203) 576-7217 Phone
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- ATTENDANCE:** Maria Alves, Acting Chair; Robin Shepard, Acting Secretary;
John Carolan, Edward McLaine, Michael Nastu
- STAFF:** Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning
Official
- OTHERS:** City Attorney Russell Liskov; Nicholas Sampieri, Zoning
Inspector

CALL TO ORDER.

Commissioner Alves called the meeting to order at 6:05 p.m. A quorum was present. Commissioner Alves introduced the Commissioners seated and reviewed the meeting protocol for everyone present.

D-1 RE: 595 MADISON AVENUE – Wakeman Memorial Association, Inc. d/b/a Wakeman Boys & Girls Club – Seeking variances of the 28’ maximum midpoint of roof and the 35’ maximum height requirement under Sec. 5-1-3 and to waive 48 of the required 178 off-street parking requirements of Sec. 11-1-2 to permit the construction of a 2-story 44,500 -sq. ft. community center on the former site of the North End Boys & Girls Club in an R-B zone.

Atty. Raymond Rizio of Russo & Rizio came forward and said that this property was known as the old North End Boys Club. He explained that they wished to create a new community center with a gymnasium, possibly have squash courts and an educational service to the community. The Wakemans have provided similar programs at Burroughs.

Atty. Rizio distributed copies of documentation and explained that there was a height limitation of 35 feet because they were in a R-B zone. There are no adjoining neighbors because the parcel is surrounded by City property with the jail across the street, the stadium to the west, and Central High School to the north.

The first variance is for height and the second is for parking. He pointed out that when there is a gymnasium, the facility requires a clearance of between 40 to 45 feet.

There will be 48 onsite parking spaces but the requirements indicate there should be 180. Atty. Rizio reviewed the details of the use density and pointed out that 28,000 square feet of the parcel would be used by the gym. The old Boys Club had no parking on site and there was only parking on Madison Avenue. There is overflow parking available at Central High School and more parking available at Kennedy Stadium, plus the on street parking in front of the facility. There is also a bus stop right in front of the building.

This is a permitted use, but the gymnasium requires additional height. The squash courts are occupied by two individuals at a time. So, these are very large spaces that are not occupied by a great number of people. The type of parking requirement exceeds the actual use. This is an outreach for the Bridgeport residents, not all of Fairfield County.

Atty. Rizio then displayed an elevation rendering by the architect. He indicated where the rock ledge was located in the back of the parcel that would have to be blasted out in order to create the required parking lot for the facility. He also showed the Commissioners where the various adjacent parking lots were in relation to the facility.

Atty. Rizio also gave a brief overview of the interior of the building and indicated that the first floor was basically dedicated to the educational purposes for the children along with the gymnasium.

Atty. Rizio said that there had been questions from the Council Members as to who this facility would serve. He distributed copies of documentation that had been sent out to bid and the July agreement with the City that list the restrictions and the easements. The primary use is a Boys and Girls Recreational and Educational facility for school aged youth in the City's neighborhoods and offering programs consistent with the former Boys Club. This will be a community center, but they must prove to the City that the programs are serving the City's youth. This is not a private enterprise.

The applicant have spoken with Caribe and the Squash in Education Foundation. Those organizations would have to abide by the permitted uses specifically in the agreement. He indicated where this was stipulated in the agreement. The applicant also still has to go to Planning and Zoning for a Special Permit Approval.

Playing basketball or volleyball does not work in facilities that are only 35 feet high. The regulations constrain the applicant because it will not allow the facility to be built correctly.

Parking is driven by two issues, one of which is the rock ledge and pile, which would not add significant parking. The amount of parking that would be required would be excessive for a gymnasium and squash courts. Most of the participants would be dropped off either at the bus stop or from private vehicles. There is additional parking available nearby. This project will cost over \$10 million dollars and will be invested in the City's youth.

Atty. Rizio said that he was speaking not only as an attorney, but also as a Board Member and would be happy to answer any questions.

Commissioner Alves asked how many employees would be involved. Atty. Rizio said that it would potentially up to 20 at various times. There will be staff increasing as the programs are in session and then decreasing during school hours or quiet times.

Commissioner Alves asked about the hours. Atty. Rizio said that the hours would be no earlier than 6 a.m., but pointed out that youth basketball can go as late as 10 p.m. Tournaments can also run late.

Commissioner Alves asked about the dumpster on site. Atty. Rizio said that there would be and wherever it is located, it will be screened. Commissioner Alves asked if there would be trash bins outside. Atty. Rizio said that they would not be in front of the building.

Commissioner Alves asked if there would be lighting outside. Atty. Rizio said that there would be. Commissioner Alves said that this was not indicated on the plan. Atty. Rizio explained that preparing for ZBA, the site plans, floor plans, and elevations are all subject to site plan approval at the end of the month.

Commissioner McLaine requested clarification on the relationship between Wakeman and the Boys and Girls Clubs. Atty. Rizio explained that the Boys and Girls Club are part of a consortium. However, the finance and the programs have to be done locally, like a franchise.

Commissioner McLaine asked if the Wakeman Foundation funds anything other than Boys and Girls Clubs. Atty. Rizio said that the Foundation funds after school programs at Burroughs. Originally, the programs started in Southport. About 8 or 10 years ago, there were waivers required at the Burroughs Center programs. It is completely funded. The current project will be under the same umbrella as the other ones.

Commissioner McLaine said that the proposed facility was large and would take a great deal of funding to maintain. He said that there was a Boys and Girls Club in Bridgeport that was in dire straits. It serves the community. Commissioner McLaine wanted to know why the philanthropy extended to that community. Atty. Rizio said that the Board wants to maintain total control of their project. The City put the project out through a bidding project and the Foundation was chosen as the best user of the site. So this was in response to an RFP issued by the City.

Commissioner McLaine wanted to know why the Wakeman Foundation had not reached out to the existing Boys and Girls Club. Atty. Rizio reminded everyone that this was a situation where the City reached out to the public for proposals. Commissioner McLaine

said that by helping an established Boys and Girl Club could save \$10 million dollars. He said that there were people in the City that were concerned because they were allowing another facility to suffer. Atty. Rizio reiterated his earlier statement that the City had issued the RFP for the Madison Avenue parcel.

Commissioner McLaine asked what would happen in 5 to 7 years, if Wakeman decided not to fund this facility anymore. Atty. Rizio said that the Wakeman Boys and Girls Clubs have been in existence for 100 years and they have a proven track record. Commissioner McLaine asked if they had ever abandoned or closed or walked away from a facility. Atty. Rizio said that they had not. The Foundation has a track record with the City and would continue to provide the services. Discussion followed.

Commissioner McLaine said that he thought it was a great plan and would like to understand the structure.

Commissioner Alves asked if there was one way in and out. Atty. Rizio said that this was so. He indicated where the drop off area would be and where the dumpster would be located along with the delivery area.

Atty. Rizio was asked if there was a basketball court next door. Atty. Rizio confirmed that there was and noted it was a City park. Discussion followed about the details of the exterior and neighboring parcels.

Atty. Rizio was asked about agreements between Caribe and the National Squash and Education Alliance. He said there currently were no written agreements and they will not enter into agreements with those organizations until they receive their approvals.

Commissioner Carolan asked about the pool that was in the building. Atty. Rizio said that there had been a pool in there but it was demolished and filled in. The gym will take up almost 2/3rds of the site. However, it is the education portion that is important. The goal is to combine the athletics with the educational aspects. A pool would require a different type of organization and liability.

Atty. Rizio said that he was please to expound on the purposes and the goals of the Foundation. He reiterated that the height request was necessary for the gym and that there was adequate on street parking along with additional parking on adjacent parcels. He said that this would be a classic case of hardship and requested that the Commission grant the application.

Commissioner Alves asked if there was anyone present to speak in favor of the petition.

Council Member Jeanette Herron came forward and said that she represents the 133rd District where this project would be located. She said that she was in support of this project because it will not only serve the North End, but also the West End and all the

City of Bridgeport. There is no facility that will be like this. The Wakeman Foundation discussed this project with the District for many years. The Foundation has private funding to be sure to maintain the building in the future. She said that she loves the program.

Atty. Thomas McCarthy, a former City Council President, came forward and said that he was present to strongly support this project. During his seventeen years as an elected official in Bridgeport, he worked on this since Day 1. There has always been a Boys and Girls Club at that location during his life and then it was closed during most of his political career. He said that this was very important for the neighborhood, particularly on a daily basis as the students leave Central and have no place to go. He supports all the community centers in the City because it is important for the children to have a safe place to go, and to learn and play. This is just another piece in the larger puzzle.

Atty. McCarthy said that in terms of the variance requested, having the roof going up higher in order to have the benefit of having a basketball court, there isn't going to anyone impacted in that area. Regarding the parking, the facility will be mostly used by kids who do not have their own cars. Central High School has massive parking available and the City and BOE are supporting this because it is the right thing to do. Just passing by Burroughs, you can see what is possible. He said that it doesn't have to be an either/or situation, but an "and". We can help this project and also help other Boys and Girls Club in this City. He asked the Commissioners to support this application.

Mr. Peter Silluca came forward and said that his son attends the Fairfield Avenue Wakeman Center this year for basketball. He coaches basketball every Saturday and this could allow his son to walk there from school and have someone help with his homework. There's a technology center, an art center, the gym and it has been extremely affordable. It is open on snow days and holidays. This is helpful for working parents.

Commissioner Alves asked if there was anyone present to speak in opposition to the petition.

Mr. Bob Keeley came forward and said that he lives on Park Avenue in the neighborhood. He said that he was the director of the Orcutt Boys and Girls Club on the East Side that is bursting with kids. He grew up in the North End Boys Club. He said that the RFP that they were mentioning called for a swimming pool in the club. What is a Boys and Girls Club without a swimming pool? Squash is fine, but many of the kids in Bridgeport can't swim. He said that while he lives in the North End, he works on the East Side. They have to buy kids socks, sneakers, winter coats, long sleeve sweatshirts and are taking care of kids in a area of high deprivation. A Boys and Girls Club needs to be a place for all kinds of kids: poor kids, middle class kids, and rich kids.

The bottom line is that when the RFP came out a few years ago, many people had answered the RFP and were not told when the Parks and Recreation Board would review

and answer. Later he said that he found out about the meeting after it took place. There was no contact with Squash Associations, Water Polo or showing pictures of the Royal Wedding. The bottom line was that they were denied the opportunity. If there was funding available, he would have gotten a lawyer and taken the City to court on this. A beautiful proposal was submitted to put a Boys and Girls Club there that was designed to serve the needs of the kids in the North End and the West End.

When they lost the bid, they decided not to go forward because it is expensive. The East End Club is not rich financially but they are rich with kids. This summer, the kids wanted to swim, play basketball and do arts and crafts.

Mr. Keeley said that as State Chairman of Human Services, he had allocated \$20 million for Boys and Girls Club statewide for new facilities and about \$2.8 million for Bridgeport. That was set to go to the Bond Commission. Another State Representative took the money and diverted it to the Southport Boys and Girls Club. That money was intended to go to rehab another facility. He went on to give the details. He said that they has been zeroed out by the State. When the Orcutt Boys and Girls Club approach the Bank of America about funding, they were told that the Wakeman Boys and Girls Club had claimed it was a waste of money to fund them. Instead of working in a partnership, it is a reverse Robin Hood. The \$2.8 million was never replaced.

The Wakeman Foundation Board is not representative of Bridgeport, but Orcutt is. The bottom line is that Mr. Keeley wants to see good things for every child in the entire city. When his appropriation for bonding was create, it would have helped all the children in the City: Sheehan Center, McGiveny Center, Hall Neighborhood and so many others.

When the North End Boys Club roof fell in, Mr. Keeley was called to repair it. When the swimming pool was being repairs, he was the one who got the funding. Losing the funding hurt the kids. The bottom line is that you have to earn your way in a Boys and Girls Club. There are a lot of private donations from people. It is important not to neglect one side of town for another. The original contract stipulated that a pool had to be included. He said that it is important to have big wide open areas rather than small enclosed areas because that is where things happen.

The Chairman of State Bonding had a dream of building a Black Rock Boys and Girls Club and he did it. No good deed goes unpunished around here. Once he left the legislature, the kids lost out. He said that he did not see a true partnership because the Wakeman Foundation has no idea who the members are on the Orcutt Board. While Mr. Keeley likes squash, he felt that the kids would rather go swimming. He said that he felt strongly about this and was reticent to grant the two variances because that would force the Wakeman Foundation to the table. Rather than stealing from the poor, it would force them to the table to form a partnership with the City Council Members and State Representatives. That will help all the children in the City, not just one area.

Commissioner Alves asked if there was anyone present to speak in opposition of the petition. When no one came forward, she allowed Atty. Rizio to come forward for rebuttal.

Atty. Rizio said that he appreciated Mr. Keeley's dedication to the Boy's Club, but does not have a monopoly to block the project from going forward. He said that it was great that there were multiple types of these clubs. He reminded everyone that while people came forward to support the request, there was no real issues with the variances, such as a problem with the height or the need for 180 parking spaces. He respectfully requested that the Zoning Board of Appeals grant the application because there are true hardships.

The first hardship is topographical issues regarding the parking and secondly, a regulation that is written for community centers that are all the same.

The second hardship is that the parcel is located in the Residential B zone that permits that type of facility, but has a 35 foot height requirement restricts the gymnasium.

For these reasons, Atty. Rizio said that he was requesting the variance. He added that he had listened to Mr. Keeley's concerns, but none of them had to do with the variances being requested. He said that these requests would survive a judicial appeal because the requests were within the classic definition of hardship.

Commissioner McLaine said that he did not agree with anything that Atty. Rizio had stated, but as is said in Bridgeport, "help a brother out". Commissioner McLaine said that the Wakeman Foundation and the Orcutt Boy's Club should get together and use their skills to help each other. Not that this had any bearing on this application, but Commissioner McLaine said that the two organizations could do some great things together.

Atty. Rizio replied that the one thing they both had in common was to help the youth in the City of Bridgeport. That's the goal, and if they can do it in a multitude of ways, they will consider it.

Commissioner Alves closed the public hearing on 595 Madison Avenue.

ITEM #1 RE: 511 CLINTON AVENUE – Petition of Marie Guerrier -- Seeking a variance of Sec. 4-12-3 to permit the change of use from professional medical and legal offices to classrooms and administrative offices for a nurse training facility in an R-A zone.

Ms. Guerrier came forward to submit her mailing receipts. She said the request was for a proposed development of a second floor as an office space. She said that in the past 20 years, the area had been used as an office space, but she had not been aware it was never approved as a commercial property.

Commissioner Alves asked what was currently located on the first floor. Ms. Guerrier said that the entire building had been used as commercial space for dentists and accountant's offices. She would like to use it for a training center for CLP classes and coding classes. The hours would be most likely from 9 a.m. to 7 p.m. The surrounding buildings are churches, social clubs and doctor's offices. She said that she did not think there was one residential building on the block.

Commissioner Alves asked how many students there would be. Ms. Guerrier said that the reason she had gone to the Fire Marshal's office was because she wanted to find out how many students she could have. Her current classes have between 7 to 10 students. Whatever the Fire Marshal approves the space for, she will do.

Commissioner McLaine asked how many employees would be there. Ms. Guerrier said that it would probably be three teachers who are nurses. Commissioner McLaine asked how many onsite parking spaces were there. Ms. Guerrier said that there were probably 15 spaces.

Commissioner Alves asked if there was anyone present to speak in favor of the petition.

Someone came forward with a letter they had received in the mail. He was told that the law requires that the neighbors be notified.

Commissioner Alves asked if there was anyone present to speak in favor of the petition. Hearing none, she asked if there was anyone present to speak in opposition to the petition. Hearing none, Commissioner Alves closed the public hearing on 511 Clinton Avenue.

ITEM #2 RE: 77 CLARENCE STREET – Petition of Piro Properties, LLC – Seeking a continuance of a nonconforming use under Sec. 14-12-2 and an approval of location for a motor vehicle facility in an OR-G zone.

Mr. Frank Piro of Piro Properties at 77 Clarence Street came forward. He said that he would like to re-establish the property at 77 Clarence Street for the used car dealership and repair. Mr. Buckley explained that Mr. Piro did not have to do mailings because his property was surrounded by city streets.

Mr. Piro said that it was established as a used car repair facility back in 1982, but there was a lapse in usage and some prospective tenants have come along, but they want to repair vehicles there. He explained that he thought the use was still in force. He said that he did not expect to have used cars sold there, but wanted the ability to have mechanics repair vehicles and the occasional vehicle can be sold. One tow company approached the owner wanting to rent the facility but because of the lapsed usage, he could not use the facility.

Commissioner McLaine asked if Mr. Piro was planning on operating the repair facility himself or intended to lease it. Mr. Piro said that he wanted to have the approval so if a tenant approached him to repair vehicles, they could go ahead with Mr. Piro as a partner.

Commissioner McLaine asked if Mr. Piro was associated with a petroleum fuel. Mr. Piro said that he was. Commissioner McLaine asked if the property would be used for storage. Mr. Piro said that the fuel company was operated out of Norwalk. Commissioner McLaine asked if they would start parking oil trucks or serviced there. Mr. Piro said that they would not. Commissioner McLaine asked if Mr. Piro would clean up the property. Mr. Piro said that the property simply consists of the building.

Commissioner Alves asked if there was anyone present to speak in favor of the petition. Hearing none, she asked if there was anyone present to speak in opposition to the petition. Hearing none, Commissioner Alves closed the public hearing on 77 Clarence Street.

ITEM #3 RE: 2835 FAIRFIELD AVENUE – Petition of Remarkable Lounge, LLC – Seeking a variance of Sec. 12-10a which prohibits the establishment of a liquor licensed café lounge within the 750’ radius of a house of worship and (two) elementary schools in an OR zone.

The owner of Remarkable Lounge came forward and introduced herself. She said that she was currently a full time employee of the State of Connecticut Department of Social Services. She was born and raised in Fairfield County and wants to give back to her community by providing a local establishment with a friendly atmosphere and great food. She then spoke about the chef that would offer various menu items that included seafood, beef and chicken. She said that she hoped to hold fundraisers and other community events.

Commissioner Alves asked about the hours of operation, which would be Monday through Thursday, 11 a.m. to 10 p.m. Friday and Saturday hours will be 11 a.m. to 1:30 a.m. and Sunday would have 11 a.m. to 9 p.m.

Commissioner Alves asked how many employees there would be and was told there would be six with an security person in evening to prevent minors from coming in. Commissioner Alves asked if there would be live entertainment or DJs. The owner said that there would be background music from a radio in the evening. There is only 622 sq. feet so there would only be room for 46 people to be seated.

Commissioner McLaine asked how many on site parking spaces there were. The owner explained that it would be all on street parking. They hope to advertise Uber and Lyft through Instagram, Facebook and Twitter, which is what individuals do now when they go out in large groups.

Commissioner Alves asked if there would be seating outdoors. The owner said that there would not be any outdoor seating.

Commissioner McLaine expressed concerns about the fact that there was no onsite parking and seating for only 46 people. The owner said that when her friends and co-workers go out, they use Uber and Lyft, which are very convenient when there is limited parking. Commissioner McLaine said that there had been a Subway sandwich shop and the clients would stop there and leave quickly. The owner explained that the Firehouse restaurant does not have parking along with another restaurant nearby and their restaurants appear to be doing well. Commissioner McLaine said his concern was that the area was already congested. This location never offered alcohol before.

Commissioner Alves asked if the windows in the front opened. She was told that they do not.

Commissioner Shepard asked if they would be offering take out. The owner said that they would.

Commissioner Alves asked if there was anyone present to speak in favor of the petition.

Mr. Nicholas Smythel, the chef, came forward. He distributed some documents and said that he had been a chef in Bridgeport for a long time. He loves to cook and this would be something different for Bridgeport. He mentioned some nearby parking in a city lot.

Ms. Desiree Clark-Wilson came forward and said that she was a community leader and a builder. She said that she had built over fifty companies in Connecticut, including Bridgeport. She said that she had never had something quite as pleasurable as Remarkable Lounge. Most of the restaurants offer commercial type food and the new millennials don't drive when they go out to eat. This means that the parking issues are not as critical. The City should not be stopping restaurants from opening because of parking. She said that she hoped they would support this project.

Commissioner Alves said for the record that the Commission has received 23 emails and/or letters in opposition to the petition.

Commissioner Alves asked if there was anyone present to speak in opposition to the petition.

Mr. Paul Bowner came forward and said that he lives at the Bridgeport Garden Apartments. He said that about 8 of his neighbors have decided to attend this hearing. The Garden Apartments were built as part of a government project about 105 years ago for the Bullard's factory workers. 105 years ago, most people did not have cars, but now there are 215 units there and the dynamics of the co-op are changing since most of the older tenants that did not have cars have moved on and the newer tenants have at least

one vehicle per unit. Most of the couples have two cars, which basically works out to 215 cars along with more vehicles for the couples. Parking has become very tight. The co-op has a policy that only people who have vehicles registered in Bridgeport can use the parking lot. The co-op pays about half a million in property taxes. Starting at Ellsworth Street, there are a total 19 establishment that all sell liquor such as restaurants with bars, bars and convenience stores. There are no banks, gas stations, sandwich shops or a pharmacy along there. There are four bars located right by Bridgeport Garden Apartments. The problem is not with the restaurant, but with the liquor.

Mr. Bowner said that there is already public drunkenness, public urination, loud music, loud car stereos, loud motorcycles that occasionally ride on the sidewalks. There have been multiple fights along with two hit and run vehicles crossing the sidewalk that damaged the metal fencing in front of Bridgeport Garden Apartments. There have been numerous lantern knocked down along with a garbage can that was knocked down. Enough is enough. There is no reason for another establishment to sell liquor. The crosswalk by the school will be right next to a place selling alcohol. The optics of it are poor for the students. St. Ann's School and Black Rock are right down the street. There are three churches in the area, also, along with the library and a community center. The objection is about another establishment selling liquor. The Co-op is against this.

The Co-op office is located right next to the Subway and prospective tenants may not want to live so close to a place selling liquor.

Ms. Lisa Pizzaro came forward and introduced herself. She said that she lives on Nash Lane and is part of the Co-op. She relocated from Westport to Bridgeport. She grew up in Bridgeport and loves the Co-op. However, on Saturday nights on any summer night, there is a lot of noise and the traffic is very bad. Her car was sideswiped by someone who had been drinking. That is her biggest objection. There are a lot of children crossing the streets and there have been many accidents at Brewster and Fairfield Avenue. A driver crossed the divider and hit three cars on November 9th. It's just a matter of time before someone is really injured.

This application is for a variance for an site that did not serve liquor before. The restaurant is fine, but the liquor is not. She pointed out that they wanted to stay open until 1 a.m. Some people like to sleep with the windows open. The hardness requirement states that there must be extraordinary, unusual circumstances to overturn the variance that is currently in place. Ms. Pizzaro asked the Commissioners what were the unusual circumstances that were in place to overturn the variance.

Another resident of Black Rock Gardens came forward and said she was the chair of the Social Committee at the Co-op. It's a wonderful place to live and she loves food and restaurants. However, that corner is not the place for it. There's an ordinance in place already about not having a liquor license. The area would welcome a restaurant but not with a liquor license and staying open till 1:30 a.m. The noise and parking are both

problems. There is no barrier between the site and the Co-op. There already is a problem. She repeated that the ordinance was there for a reason. There are more available storefronts just a few blocks down. The resident asked why they would need a bouncer on site, which is a red flag. The neighbors don't want more bouncers. While they welcome the right to have businesses and to make a living, but not at the expense of other people's quality of life and peace. This is a quality of life.

The resident said that there were 217 units and that means there are between 400 and 500 people living there. She said that she could get a petition against the request to overturn the variance within a week.

Ms. Caramina Montes came forward of 585 Brewster Street. She said that when school is starting, the area is packed and if there is an event is underway, the noise is loud. People park wherever they want and it is chaotic. The restaurant sounds like a great idea, but this is not the place for it. There is not enough room. Ms. Montes said that she is afraid to send her daughter to the library because she might have an accident. She said that she has lived in Black Rock for 27 years and loves her community, but doesn't think they need another restaurant/bar there.

Ms. Pamela Jones of Hadden Street came forward and said that it was her understanding that the reason for the hearing was because the petitioners were asking for a variance from the ordinance. She said that the current ordinance requires a certain number of feet between an establishment that has a liquor license and a school and a church.

Ms. Jones said that St. Ann's Church and Black Rock School are right there. The community often has processions in the street on holy days along Nash, to Brewster and back to the church.

Ms. Jones said that right now the school crossing guards deserve medals because it is dangerous even with the florescent jackets. She said that she had not heard the hardship that the petitioner has for the variance. The restaurant is in the 750 foot buffer. The schools and the church are the heart of the Black Rock community.

Ms. Rhonda Webber at the Black Rock Co-op apartments. She said that she was the Vice President of the Board of Director and a real estate agent. Her biggest concern was the proximity of the restaurant to the schools, the church and the offices. The closings are done at the office right across the street. She added that she was concerned about the values of Co-op units since there are a lot of bars and restaurants along Fairfield Avenue. She felt that this would negatively impact the value of the units. That is a very dangerous intersection, also.

The Black Rock NRZ president came forward and said that he wanted to update the Board on what the NRZ was doing. The Land Use Design Committee met but came to no decision on the matter because of lack of information other than what was in the legal

notice. The NRZ members tried to contact the applicants but did not receive a response. The NRZ is aware that the neighbors are opposed and the variance is within the 750 foot limit, which is a reduction of the previous 1,500 limit. This puts the business near two schools, a church and a daycare. In the past, the NRZ has met with developers about their projects, but they have not heard from this applicant.

Ms. Nancy Prall of Nash Lane came forward and said that it was a good thing to want to bring good food to the community, but her reservation was the same as her fellow co-op neighbors said. She pointed out that she did not hear why the restaurant had to be located there. What was the extraordinary circumstance that required her restaurant be on a corner near a church and a school. There are other locations that wouldn't need a variance. Perhaps her dream could happen somewhere else.

Ms. Doreen Birdsell came forward and thanked the Commissioners for their hard work. She said that she thought the restaurant was a good idea, but the phrase that she kept thinking of was "for the good of the neighborhood". There are a host of other bars and restaurants in the area. There are so many children in the neighborhood and that is why there are school crossing guards there to make sure the children get home safely.

Ms. Birdsell said that she heard they would close at 1 a.m., but also heard the applicant say they would close at 1:30. That is quite late and it is a small space. In New York City, residents just walk out the door and find a place to eat, but New York City has subways, so they don't need parking spaces. Bridgeport needs parking spaces and something that would be better for the neighborhood.

Ms. Kathy McCarthy of Brewster Street came forward and said that she was not in favor of the variance request for the same reasons that everyone else has mentioned. She said that she just wanted to have it part of the record. It sounds like a wonderful idea, but it's the wrong location.

Council Member Peter Spain of Grovers Avenue came forward and thanked the Commissioners for their service. He said that he was here to oppose the request for all the reasons that had been stated. He asked Commissioner Alves about the 18 letters of opposition. She responded that there were 23. He said that there had been 10 speakers who were opposed. The thread seemed to be that people are thankful about the talent of the applicants, but it is not the place for a variance in light of the schools and the church, along with the residents of the Co-op.

Council Member Spain said that he had a letter from the principal of Black Rock School and wanted to read it into the record:

I'm writing you this note because I will be unable the meeting. I am writing to voice my opposition for any change that would allow 2835 Fairfield Avenue to be converted into a tavern or drinking establishment of any kind. As both the

principal of Black Rock School and a resident of Black Rock, I have a number of reasons for this opposition.

First, every afternoon, large amounts of Black Rock K-8 students will pass this establishment on their way home from school. The proposed site will be right on the corner where the vast majority of the walkers use to cross the street. Many students patronize the local grocery store next door and if this establishment is open at this time, it will not be a positive environment for the students as it is right on the corner closest to the school.

Second, there are other open spaces on Fairfield Avenue that are not so close to the school. As a resident, I want Black Rock to be a busy, business friendly neighborhood. However, this should not come at the expense of maintaining a healthy, immediate school environment.

For this reason, I strongly oppose any change in the zoning laws that would allow for a drinking establishment to be created so close to the school. Please do not hesitate to touch base with me with any questions or concerns you may have.

Sincerely,

Principal Stephen Cassidy
Black Rock School

Commissioner Alves asked if there was anyone present to speak in opposition to the petition.

Ms. Celina Sanchez came forward and said that she lives on Fairfield Avenue right near the corner where the restaurant will be. She said that she has lived there for 16 years. When she moved in, Matty's was a small diner that closed after lunch and Subway was there. There were some restaurants, but not that many bars. Over the years, the neighborhood has grown and brought in a lot of business, a lot of flavor, many wonderful restaurants and unfortunately, a lot of loud bars. It's not just the loudness or the parking. There is no parking there and her vehicles has been hit on both sides. She has had to park three blocks away from where she lives. There is supposed to be a noise ordinance which does not work and added another bar will not help. As the young lady said, she would like to have jazz music. It's not just about her, it's about the entire neighborhood.

Beside the parking and liquor near schools and the church, the bus stops right in front of the Subway. Around the corner, there is no parking, but people would run in to pick up their sandwiches and go. She spoke about her experience working in bars and reminded everyone that if the business is doing well, they extend their hours, but if they are not doing well, they increase the music. Right now, once the bars close, the patrons hang around for a few more hours. Some actually bring their own coolers. Recently the police

have been stopping by to move people along. Ms. Sanchez said that she felt that she felt bad about this, but it would be better to have the restaurant located elsewhere.

Commissioner Alves explained to the applicant that she could come forward and present a rebuttal. Ms. Clark-Wilson said that the reason that they were here was because of the request for the liquor, which has a 750 foot set back requirement from the church and schools. They are not trying to make the neighborhood less appealing but trying to add something to the menu. They have been working on this for about five months and she said that the reason that this bar should have a chance to open is because it is not like a bar where the customers sit, but more like a family restaurant with a liquor component. The main focus is on food. There will not be loud music or parties. This is a place to congregate with friends and have something good to eat. This will not be like the other bars. The property is a hardship because of its location. Corner locations are the best for businesses. Variances are being requested each and every day, so Ms. Clark-Wilson asked the Commission to consider granting the variance to make Bridgeport proud. She said that they will have reviews from everyone. Chef Michael had a strong following and she felt that Remarkable Lounge would be a good thing.

Commissioner Alves closed the public hearing on 2835 Fairfield Avenue.

ITEM #4 RE: 79 – 81 ROOSEVELT STREET – Petition of Milton Londa – Seeking a variance of the 2,700-sq. ft. of property per residential unit under Sec. 5-1-3 and waive three (3) of the required five (5) off-street parking spaces to permit the conversion of the existing 2-family dwelling into a 3-family dwelling in and R-C zone.

Commissioner Alves announced that the application for 79-81 Roosevelt Street would not be heard as it has been deferred to December.

ITEM #5 RE: 64 – 66 GARFIELD AVENUE – Petition of Gloria Cummings – Seeking a variance of the prohibition of enlarging a nonconforming structure under Sec. 4-12-4a & b and a variance of the minimum setback requirement under Sec. 5-1-3a to legalize the reconstruction of the attic area to now be living space containing 3-bedrooms and a full bathroom in an R-C zone.

The green mailing receipts were handed in. A representative of the owner came forward and said that the existing two family residence has four bedrooms and they were trying to construct three bedrooms on the third floor. They are not increasing the height or width of the building, but simply changing the roof lines. They want to have the bedrooms to have more heights and add closets in the bedrooms. The previous application was approved and in the middle of construction, they were informed they had to apply for a variance.

Commissioner Alves asked if there had been a fire on the third floor. She was told that the fire happened approximately four months earlier.

Commissioner Alves asked how many bedrooms were on the second floor. She was told that there were two bedrooms on the second floor and there were four bedrooms on the third floor. The second and third floor were all one unit. The family that was occupying the unit wishes to remain but would like to allow the bedrooms to have proper ceiling heights and adding closets.

The representative was asked if it was a two family residence. He said it was and would remain a two family residence.

Commissioner Carolan asked about the parking because it is very congested in that area. He said that the parking would remain the same and there was a driveway there already.

Commissioner McLaine asked about the number of bedrooms on each floor. A discussion followed about the floor plans. Commissioner McLaine said that he found it hard to believe that there was only one adult that would be driving. He said that it appears to be making a two family residence into a three family without the proper zoning and sufficient parking. The representative said that if they were to make it into a three family, they would have to change the electrical over and add more plumbing. Discussion followed.

Commissioner Carolan asked if the goal was simply to legalize the third floor bedrooms. The representative said that it was still going to be part of the second floor unit and would not be a separate unit. It is an existing two family.

Commissioner Carolan said that his concern was the parking situation on Fairfield Avenue. The representative said that there were four bedrooms on the third floor and now they were changing it to make it three bedrooms and a bathroom.

Commissioner Alves asked about the garage. She was told that the garage was a three car garage in the back.

Commissioner Alves asked if there was anyone present to speak in favor of the petition.

Ms. Gloria Cummings came forward and said that this was her property. She said that she has lived there for almost 30 years. When they moved into the house, the inspector informed them that this was a legal two family. Her parents lived on the first floor, she and her husband were on the second floor and their children were on the third floor.

The day of the fire was devastating and the house was totaled. They want to move back to their home. The third floor originally had four bedrooms but was tight due to the ceiling. Opening it up would give them more room.

Ms. Cummings said that her oldest son, two grandchildren and her daughter would be in residence along with her and her husband. They would like to be back in before Christmas. The contractors were moving forward and everything was signed off.

There is a three car garage and all the vehicles are parked in the driveway. They don't park in the street, so there would not be a problem with the neighbors or street parking.

Commissioner Alves asked if there was anyone present to speak in favor of the petition. Hearing none, she asked if there was anyone who would like to speak in opposition to the application. Hearing none, Commissioner Alves closed the public hearing on 64 – 66 Garfield Avenue.

ITEM: T-1 RE: 1705 FAIRFIELD AVENUE – Petition of RJYZ Bridgeport, LLC – Seeking variances of the front setback requirement of Sec. 7-1-3; the perimeter landscaping requirement of Sec. 11-1-13; the setback and landscaping requirements for stacking lanes under Sec. 12-5A; the minimum window area requirement and the minimum street wall area requirements under Sec. 12-5-1(b)(4) to permit the construction of a 600-sq. ft. coffee shop and a 7,619-sq. ft. retail store on one lot in an I-L zone.

Commissioner Alves announced that Agenda Item T-1 had been tabled from last month. Only comments would be heard.

Atty. Raymond Rizio of Russo & Rizio came forward and said that there had been changes in the plan. The Dunkin' Donuts has been removed. Commissioner Alves said that the general public would now have the opportunity to come in and make comments about the changes.

Commissioner McLaine asked if the public would be commenting on the removal of the Dunkin' Donuts or not. Commissioner Alves explained that it was her understanding that the general public would have the opportunity to review the revised plans and to make their comments either for or against. The comments should have nothing to do with the discussion of set backs or other items.

Commissioner Alves asked if there was anyone who would like to speak in opposition to the application.

Mr. Reg Johnson of Madison Avenue came forward and said that he was a member of the Yale Street Community Garden, which was located about six or seven blocks down from the site. He said that he wants to see State Street developed in a nice way with a nice mix of greenery, some non-profits and some commercial places. There is already an Auto Zone.

Commissioner McLaine said that this was not what they were here for tonight. He said that the speakers should be speaking about the Dunkin' Donuts being removed or want the Dunkin' Donuts to remain.

Mr. Johnson said that he was against this because it was a redundant use and thanked the Commission for their time.

Council Member Peter Spain of Grovers Avenue came forward and said that he respectfully disagreed with the point regarding the comments being limited to the removal of the Dunkin' Donuts. In the original plan, there was proposal regarding the retail building has been moved closer to the street. He said that he was against that, along with the Park City Charter.

Commissioner McLaine said that this was not what they were here for tonight. Council Member Spain asked for the Chair's allowance. Commissioner Alves asked Mr. Buckley about the protocol. Commissioner McLaine said that this had already been discussed previously. Council Member Peter Spain said that he represented 14,040 people in his District until November 30th and he was here on their behalf.

Mr. Buckley consulted the Associate City Attorney and the minutes. Atty. Rizio said that he was willing to allow Council Member Spain to speak and then he would rebut. Mr. Buckley said that at the previous meeting, the opposition objected because they did not have time to review the plans and on the advice of Atty. Liskov, the public could just address the changes on the revised plans, nothing else. Then Atty. Rizio would have his opportunity to rebut their opposition.

Council Member Spain said that the context was the change and the change includes bringing the proposed retail closer to State Street and that is an essential feature to the variance. He said that the those who were opposed but present still stand by their opposition after seeing the revision. Park City Prep School on Mountain Grove, the West End NRZ president, and a West End neighbor in opposition, not to mention the proposed new Bassick High School on State Street. He asked them to keep this all in mind as they review the requirements for granting a variance.

Atty. Rizio came forward and requested that the Commission grant the application because the changes came through discussions with Economic Development. The issue is that the property is in a retail corridor but still zoned Industrial. Industrial requires that the buildings be set off the street while the retail corridor and the Economic Development department along with the ZBA regulations are trying to orient buildings closer to the street. They removed the Dunkin' Donuts from the application, which removed most of the variances because the circulation issues and landscape issues are no longer necessary. There is a permitted use for retail, but can not be constructed without a variance because of the retail uses along the corridor. This is the goal of the Master Plan. He reviewed the details of the set backs. The property is in a retail corridor but still zoned Industrial. If

the application is granted, the application would be on the November agenda for Planning and Zoning.

The school representatives were complaining about the use of Mountain Grove Street, however it is a public road. The school does not have parking and they used Mountain Grove Street as private driveway. There will be more than adequate parking on site for customers. The applicant and all the visitors has every right to use that street as much as those dropping their children off at school. Mountain Grove was not designed to be a drop off and pick up lane for a school. That is irrelevant.

The question is whether the Commission wishes to grant the variance and pull the building closer to the street to interact with the fabric of the sidewalk. The retail use is permitted, regardless of whether it is a card store, a clothing store or an auto parts store is irrelevant. The Dunkin' Donuts was the non-compliant use on the site. He respectfully requested that the Commission grant the variance.

Commissioner Alves closed the public hearing on 1705 Fairfield Avenue.

DECISION SESSION

D-1 RE: 595 MADISON AVENUE – Wakeman Memorial Association, Inc. d/b/a Wakeman Boys & Girls Club – Seeking variances of the 28’ maximum midpoint of roof and the 35’ maximum height requirement under Sec. 5-1-3 and to waive 48 of the required 178 off-street parking requirements of Sec. 11-1-2 to permit the construction of a 2-story 44,500 -sq. ft. community center on the former site of the North End Boys & Girls Club in an R-B zone.

**** COMMISSIONER MCLAINE MOVED TO GRANT AGENDA ITEM D-1 RE: 595 MADISON AVENUE – WAKEMAN MEMORIAL ASSOCIATION, INC. D/B/A WAKEMAN BOYS & GIRLS CLUB – SEEKING VARIANCES OF THE 28’ MAXIMUM MIDPOINT OF ROOF AND THE 35’ MAXIMUM HEIGHT REQUIREMENT UNDER SEC. 5-1-3 AND TO WAIVE 48 OF THE REQUIRED 178 OFF-STREET PARKING REQUIREMENTS OF SEC. 11-1-2 TO PERMIT THE CONSTRUCTION OF A 2-STORY 44,500 -SQ. FT. COMMUNITY CENTER ON THE FORMER SITE OF THE NORTH END BOYS & GIRLS CLUB IN AN R-B ZONE WITH THE FOLLOWING CONDITIONS:**

1. THE DEVELOPMENT OF THE SUBJECT PROPERTY SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.

2. THE PETITIONER SHALL FILES PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.

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

FOR THE FOLLOWING REASONS:

1. THE HARDSHIP EXISTS AS THE PERMITTED USE (A GYMNASIUM) NEEDS TO EXCEED THE MAXIMUM HEIGHT OF THE ZONE DEVELOPMENT STANDARDS.

2. A NEW FACILITY AT THIS LOCATION IS A BENEFIT TO THE COMMUNITY AND WILL PROVIDE A NEEDED OUTLET FOR BRIDGEPORT CHILDREN AND YOUNG ADULTS.

**** COMMISSIONER SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ITEM #1 RE: 511 CLINTON AVENUE – Petition of Marie Guerrier -- Seeking a variance of Sec. 4-12-3 to permit the change of use from professional medical and legal offices to classrooms and administrative offices for a nurse training facility in an R-A zone.

Commissioner Carolan asked if the building would have sprinklers. Mr. Buckley said that they could add that as a condition of approval.

**** COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM #1 RE: 511 CLINTON AVENUE – PETITION OF MARIE GUERRIER -- SEEKING A VARIANCE OF SEC. 4-12-3 TO PERMIT THE CHANGE OF USE FROM PROFESSIONAL MEDICAL AND LEGAL OFFICES TO CLASSROOMS AND ADMINISTRATIVE OFFICES FOR A NURSE TRAINING FACILITY IN AN R-A 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. THIS APPROVAL IS FOR THE SINGLE-USE OCCUPANCY OF A TRAINING FACILITY AND ADMINISTRATIVE OFFICES.

FOR THE FOLLOWING REASONS:

1. THE BUILDING HAS BEEN USED FOR PROFESSIONAL NON-RESIDENTIAL OCCUPATIONS SINCE 1978.

2. THE USE AS GRANTED WILL HAVE NO ADVERSE IMPACT ON THE AREA AS HERE IS ADEQUATE OFF-STREET PARKING AVAILABLE FOR THE PROPOSED USE.

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

ITEM #2 RE: 77 CLARENCE STREET – Petition of Piro Properties, LLC – Seeking a continuance of a nonconforming use under Sec. 14-12-2 and an approval of location for a motor vehicle facility in an OR-G zone.

There was a discussion about giving up the use and the re-establishment of the use.

Commissioner McLaine said that he had concerns about fuel oil trucks being stored there since the owner has a fuel oil company in Westport.

**** COMMISSIONER NASTU MOVED TO GRANT AGENDA ITEM #2 RE: 77 CLARENCE STREET – PETITION OF PIRO PROPERTIES, LLC – SEEKING A CONTINUANCE OF A NONCONFORMING USE UNDER SEC. 14-12-2 AND AN APPROVAL OF LOCATION FOR A MOTOR VEHICLE FACILITY IN AN OR-G ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. MOTOR VEHICLE FACILITY CONDITIONS “D” (ENCLOSED)**
- 2. PETITIONER SHALL FILE A CERTIFICATE OF ZONING COMPLIANCE ALONG WITH A DEPARTMENT OF MOTOR VEHICLE K-7 FORM.**
- 3. THERE SHALL BE NO STORAGE OR REPAIRS OF HOME HEATING OIL TRUCKS ASSOCIATED WITH PIRO PETROLEUM SERVICE.**
- 4. THE STORAGE OF VEHICLES EXCEEDING 10,000 POUNDS IS STRICTLY PROHIBITED.**
- 5. THE GENERAL REPAIRER’S LICENSE SHALL BE IN THE NAME OF THE OWNER OR LEASE HOLDER OF THE SUBJECT PREMISES.**

FOR THE FOLLOWING REASONS:

- 1. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.**
- 2. THIS APPROVAL REESTABLISHES A USE THAT WAS PREVIOUSLY PERMITTED IN 1982.**

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

ITEM #3 RE: 2835 FAIRFIELD AVENUE – Petition of Remarkable Lounge, LLC – Seeking a variance of Sec. 12-10a which prohibits the establishment of a liquor licensed café lounge within the 750’ radius of a house of worship and (two) elementary schools in an OR zone.

There was a brief discussion regarding the use as a take out. Mr. Buckley pointed out that once a facility goes over 8 seats, they are required to provide a bathroom and are also considered as a restaurant. Even without the liquor, it would be an overuse of the parcel.

**** COMMISSIONER MCLAINE MOVED TO DENY AGENDA ITEM #3 RE: 2835 FAIRFIELD AVENUE – PETITION OF REMARKABLE LOUNGE, LLC – SEEKING A VARIANCE OF SEC. 12-10A WHICH PROHIBITS THE ESTABLISHMENT OF A LIQUOR LICENSED CAFÉ LOUNGE WITHIN THE 750’ RADIUS OF A HOUSE OF WORSHIP AND (TWO) ELEMENTARY SCHOOLS IN AN OR ZONE FOR THE FOLLOWING REASONS:**

- 1. THE PETITIONER FAILED TO ESTABLISH OR IDENTIFY ANY HARDSHIP RELATED TO THIS PARCEL OF PROPERTY.**
- 2. THE BUILDING IS LOCATED IN AN AREA WITH CRITICAL TRAFFIC CONGESTION AND AN APPROVAL OF THIS PETITION WOULD ONLY ADD TO THE TRAFFIC CONGESTION AND BE A FURTHER DETRIMENT TO PUBLIC SAFETY.**
- 3. THE BOARD COULD NOT MAKE ITS FINDINGS AS TO THE SUITABILITY OF THE LOCATION FOR A RESTAURANT WITH A LIQUOR PERMIT.**

**** COMMISSIONER CAROLAN SECONDED.
** THE MOTION PASSED WITH FOUR (4) IN FAVOR OF DENIAL (CAROLAN, NASTU, MCLAIN AND ALVES) AND ONE (1) OPPOSED (SHEPARD).**

ITEM #4 RE: 79 – 81 ROOSEVELT STREET – Petition of Milton Londa – Seeking a variance of the 2,700-sq. ft. of property per residential unit under Sec. 5-1-3 and waive three (3) of the required five (5) off-street parking spaces to permit the conversion of the existing 2-family dwelling into a 3-family dwelling in and R-C zone.

**** COMMISSIONER MCLAINE MOVED TO DEFER AGENDA ITEM #4 RE: 79 – 81 ROOSEVELT STREET – PETITION OF MILTON LONDA –SEEKING A VARIANCE OF THE 2,700-SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT UNDER SEC. 5-1-3 AND WAIVE THREE (3) OF THE REQUIRED FIVE (5) OFF-STREET PARKING SPACES TO PERMIT THE CONVERSION OF THE EXISTING 2-FAMILY DWELLING INTO A 3-FAMILY DWELLING IN AND R-C ZONE TO DECEMBER 10, 2019.**

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

ITEM #5 RE: 64 – 66 GARFIELD AVENUE – Petition of Gloria Cummings –

Seeking a variance of the prohibition of enlarging a nonconforming structure under Sec. 4-12-4a & b and a variance of the minimum setback requirement under Sec. 5-1-3a to legalize the reconstruction of the attic area to now be living space containing 3-bedrooms and a full bathroom in an R-C zone.

Discussion followed about the Commissioners' concerns regarding the bathroom on the third floor and

**** COMMISSIONER MCLAINÉ MOVED TO DENY AGENDA ITEM #5 RE: 64 – 66 GARFIELD AVENUE – PETITION OF GLORIA CUMMINGS – SEEKING A VARIANCE OF THE PROHIBITION OF ENLARGING A NONCONFORMING STRUCTURE UNDER SEC. 4-12-4A & B AND A VARIANCE OF THE MINIMUM SETBACK REQUIREMENT UNDER SEC. 5-1-3A TO LEGALIZE THE RECONSTRUCTION OF THE ATTIC AREA TO NOW BE LIVING SPACE CONTAINING 3-BEDROOMS AND A FULL BATHROOM IN AN R-C ZONE**

FOR THE FOLLOWING REASON:

1. THE PETITIONER FAILED TO ESTABLISH AN EXCEPTIONAL DIFFICULTY OR UNUSUAL HARDSHIP DIRECTLY AFFECTING THIS PROPERTY.

**** COMMISSIONER NASTU SECONDED.**

**** THE MOTION PASSED WITH THREE (3) IN FAVOR (CAROLAN, MCLAINÉ AND NASTU) AND TWO OPPOSED (ALVES AND SHEPARD).**

ITEM: T-1 RE: 1705 FAIRFIELD AVENUE – Petition of RJYZ Bridgeport, LLC – Seeking variances of the front setback requirement of Sec. 7-1-3; the perimeter landscaping requirement of Sec. 11-1-13; the setback and landscaping requirements for stacking lanes under Sec. 12-5A; the minimum window area requirement and the minimum street wall area requirements under Sec. 12-5-1(b)(4) to permit the construction of a 600-sq. ft. coffee shop and a 7,619-sq. ft. retail store on one lot in an I-L zone.

**** COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM: T-1 RE: 1705 FAIRFIELD AVENUE – PETITION OF RJYZ BRIDGEPORT, LLC – SEEKING VARIANCES OF THE FRONT SETBACK REQUIREMENT OF SEC. 7-1-3; THE PERIMETER LANDSCAPING REQUIREMENT OF SEC. 11-1-13; THE SETBACK AND LANDSCAPING REQUIREMENTS FOR STACKING LANES UNDER SEC. 12-5A; THE MINIMUM WINDOW AREA REQUIREMENT AND THE MINIMUM STREET WALL AREA REQUIREMENTS UNDER SEC. 12-5-1(B)(4) TO PERMIT THE CONSTRUCTION OF A 600-SQ. FT. COFFEE SHOP AND A 7,619-SQ. FT.**

RETAIL STORE ON ONE LOT IN AN I-L ZONE WITH THE FOLLOWING CONDITIONS:

- 1. THE DEVELOPMENT OF THE SUBJECT PROPERTY SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 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 WITH THE REQUIREMENTS OF THE BASIC BUILDING CODE OF THE STATE OF CT.**

FOR THE FOLLOWING REASONS:

- 1. RETAIL USE IS ACCEPTABLE IN AN I-L ZONE.**
- 2. THE BUILDING LOCATION SHOULD COMPLY WITH THE PREVAILING SETBACK IN THE IMMEDIATE AREA.**
- 3. THE GRANTING OF THIS PETITION WILL HAVE NO ADVERSE IMPACT ON THE STATE STREET/FAIRFIELD AVENUE CORRIDOR.**
- 4. THE CURRENT ZONING REGULATIONS ENCOURAGE BUILDINGS TO BE CONSTRUCTED CLOSE TO THE SIDEWALK AND STREET.**

- ** COMMISSIONER NASTU SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

MINUTES

August 13, 2019

- ** COMMISSIONER CAROLAN MOVED TO APPROVE THE MINUTES OF AUGUST 13, 2019.**
- ** COMMISSIONER NASTU SECONDED.**
- ** THE MOTION MOVED TO APPROVE THE MINUTES OF AUGUST 13, 2019 PASSED UNANIMOUSLY,**

October 9, 2019

It was noted that Commissioner McLaine's name was consistently mis-spelled in the minutes.

- ** COMMISSIONER NASTU MOVED TO APPROVE THE OCTOBER 9, 2019 AS CORRECTED.**
- ** COMMISSIONER CAROLAN SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

Mr. Buckley said that Ms. Haig wished to speak to the Commissioners about two issues.

Ms. Haig said that there was a email about the Zone Bridgeport page at ZoneBridgeport.com and encouraged everyone to check it out, along with attending the steering committee meeting in January. The rezoning will change everything that the Commission does.

Secondly, they are looking into changing the microphones and the audio in the chambers, along with changing the monitors so everyone can see the scenes.

ADJOURNMENT

**** COMMISSIONER CAROLAN MOVED TO ADJOURN.**

**** COMMISSIONER NASTU SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:27 p.m.

Respectfully submitted.

S. L. Soltes
Telesco Secretarial Services