



ZONING BOARD OF APPEALS
AUGUST 13, 2014
REGULAR MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace
Bridgeport, CT 06604
(203) 576-7217 Phone
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ATTENDANCE: Michael Piccirillo, Chair; Linda Grace, Secretary;
John Carolan, Maria Alves, Jack Calcutt

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

CALL TO ORDER.

Chairman Piccirillo called the meeting to order at 6:02 p.m. A quorum was present. Chairman Piccirillo introduced the Commissioner seated and then reviewed the rules.

It was announced that the following two items had been deferred:

ITEM #4 - RE: 113 – 117 WASHINGTON TERRACE – Continuum of Care, Inc. - Appealing under Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and under Sec. 8-7 of the CT General Statutes, whereby it is alleged that the Zoning Enforcement Officer erred in his issuance of an Order to Comply regarding a group living use in an R-B zone.

ITEM #6 RE: 1380 SEAVIEW AVENUE – Cheddi Dillion, Lessee - Seeking to modify conditions of approval to a petition granted by the Zoning Board of Appeals on 06-02-10, which permitted the establishment of a used car dealership in an R-C zone and coastal area.

ITEM #1 RE: 908 – 910 WOOD AVENUE – VBCI Bridgeport Ministries, Inc.) Seeking a variance of all off-street parking requirements of Sec. 11-1-2 and all landscaping requirements of Sec. 6-1-3 to permit the establishment of a community outreach facility in an OR zone.

Mr. Aboagye, from VBCI came forward and introduced himself to the Commission. He explained that the landlord was present and that VBCI would be establishing community outreach.

Mr. Aboagye said that everyone who is scheduled to work on the project have full time jobs. The ministry will be closed Mon-Wednesday. The office will be open from 5 p.m. to 8 p.m. On

the weekends, there will most likely be four cars and on Sunday, there may be eight vehicles, since the children will be picked up and brought to the various locations.

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

Mr. Fred Kaskowicz, 892-910 Wood Avenue owner came forward. He said that he bought the property in 2008 and lived at the property before purchasing it. He said that the other retail tenants are almost all closed when VBCI would be active. He listed the various businesses and pointed out that other than the Chinese restaurant, the other businesses would be closed most of the time.

Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 908-910 Wood Avenue.

ITEM #2 RE: 900 HOUSATONIC AVENUE – T.F. Holdings, LLC - Seeking a variance of the prohibition of outdoor storage of equipment and materials in a coastal area under Sec. 14-3-3(i), as well as 5’ of the minimum setback requirement of 15’ under Sec. 11-6-1 to validate the existing contractor storage yard in an I-L zone and coastal area.

Atty. Willinger turned in the mailing receipts. He said that he was present to represent the applicant. The parcel is located in an IL Zone. He said that Mr. Hernandez noticed that there were insufficient zoning regulations for historic use of the property. There has been no cease and desist, the owner simply wants to bring the property into compliance. The site was used by All State Tractor Trailers and later by a Steel Company, Bushwick, LLC for storage of product.

Atty. Willinger then distributed copies of a document about the company. The steel is brought in for storage and then shipped out. There are 70 employees and the company pays their real estate and property taxes. Bushwick Steel has been on the site for many years and hopes to continue for many more. The landscaping is to the L2 standards, which is more than required for an Industrial zone. They store cranes, trucks and other equipment at the property also. The steel is not scrap metal, but brand new metal. Atty. Willinger then distributed a four page photograph hand out with photos of the product.

One request is for a variance of Sec. 14-3-3(i) for storage in a CAM area. Secondly, the applicant is requesting a 5 foot variance for the 15 foot required set back. Sometimes the area is needed for product storage, but there will now be more landscaping elsewhere on the property.

The final request is for the CAM approval. He said that this property had been used this way for at least three decades and to change it would be a hardship. Atty. Willinger said that the parcel is not near the waterfront and there would be no pollutants draining into the Sound. There is no impact on the neighborhood. The nearby users are heavy industrial users. One of the immediate

neighbors is the City of Bridgeport where containers are stored, an auto repair facility and a third business.

Atty. Willinger said that this parcel has been used by industrial businesses and is a viable area. He said that Rose Tiso was the landscape architect. The authors of the report filed with CAM.

Commissioner Grace asked about the ownership of the parcel. Atty. Willinger said that the company had been there for 17 years and originally the company leased from the owner and later purchased the property from the owner.

The representative from Rose Tiso came forward and described the various plantings that would be screening the street.

Commissioner Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Piccirillo closed the public hearing on 900 Housatonic Avenue.

ITEM #3 RE: 1860 PARK AVENUE – Torise Baker , Potential Buyer - Seeking a use variance of Sec. 5-1-2 and also seeking a variance of four (4) of the required six (6) off-street parking spaces of Sec. 11-1-2 to permit the conversion of the existing single-family dwelling into a tax preparation office building in an R-A zone.

Ms. Baker came forward and said that she was the owner of a tax business and would like to purchase the building. She would like to change the residence to a business. Ms. Baker said that she plans to be on the site every day. She plans to hire two employees if she can secure the parcel. There are buffers around the property. She said that she has 600 tax and payroll clients and wants to expand her business. There is a three car garage on the property. Only 30% of her clients drive and the parcel is near a bus stop. She said that she wanted to add a handicap ramp to the front of the business.

Commissioner Piccirillo asked if she planned to clean up the property. She said that she has secured a small business loan to do this.

Ms. Baker said that she often does webcam interviews and consultations. There are clients in eight states. That is why she doesn't need a great deal of parking.

Commissioner Grace asked about the painting and repairs. Ms. Baker said that she planned on addressing this as soon as she becomes the owner.

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

Dr. Russell Rosick, a registered architect, and a client and said that he has worked with her remotely. As she takes ownership of the property, she will upkeep the property. She plans to make it more accessible for ADA

Commissioner Piccirillo asked if there was anyone present who wished to speak against the application.

Ms. Dulcie Atkinson came forward. She said that she wanted to know why she had not been contacted about this and she was afraid of this change. Mr. Buckley said that a registered had been sent. Ms. Atkinson said that a registered letter had come but it only had a return address rather than a name on it.

She added that there were many people who were parking all along the street. Commissioner Piccirillo said that the applicant had six parking places on her property.

Commissioner Piccirillo asked how long the property had been empty. Ms. Atkinson said it was empty for two and a half years. She also mentioned that she had concerns about security if the building is empty at night.

Ms. Baker said that she has a lawn service that has been doing her lawn at home and they would be doing the maintenance at the business also. She said that none of her workers been parking anywhere. Since she does not own the property at this time, she has only been there three times and cannot change the property in any way. A security system will be installed because the information she handles is confidential.

Commissioner Piccirillo then closed the public hearing on 1860 Park Avenue.

ITEM #4 - RE: 113 – 117 WASHINGTON TERRACE – Continuum of Care, Inc. - Appealing under Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and under Sec. 8-7 of the CT General Statutes, whereby it is alleged that the Zoning Enforcement Officer erred in his issuance of an Order to Comply regarding a group living use in an R-B zone.

This was deferred to September 29, 2014.

ITEM #5 RE: 42 RENNELL STREET, 472 & 490 UNIVERSITY AVENUE – Petition of University of Bridgeport – Seeking a variance of 21’ of the maximum height requirement of 45’; the maximum setback requirement of 10’ and the maximum floor area ratio (FAR) of 1.0 under Sec. 8-2-3 to permit the construction of a 4-story student resident hall with a related on-campus parking lot in an MU-EM zone.

Atty. Studer said that the mailings have been turned in and the applicant was present last month. He said that the applicant had amended the application. He displayed drawings of a four story dormitory. The purpose is to replace Shine Hall, a 10 story building. Shine Hall is too old and

UB has decided to demolish it for parking. The University will be constructing the dormitory and demolishing Shine Hall at the same time.

Atty. Studer then handed out a number of documents to the Commissioners. One of the letters was from Council Member Denise Taylor-Moye and Council Member Jack Banta supporting the application. The documents included a petition from about 10 neighbors. Mr. Timothy Callahan who owns nearby property has submitted a letter of support along with another property owner.

Atty. Studer then read a portion of Mr. Guevara 's report into the record.

Mr. George Estrada came forward said that there were numerous aspects that he wished to express. UB has been working on improvements on the campus during the past few years. UB also has sponsored a neighborhood police substation on the campus and provide security for the campus. He then talked about the improvements made to the neighborhood and tree planting. The UB students often have neighborhood clean ups and frequently host the South End NRZ on campus.

Mr. Paul Antonizzi, the architect, came forward and spoke about the design of the building. He explained that the 25 foot set back would align the buildings with the other buildings on University Avenue. There is also an AT&T line buried in the ground there, also. On the side facing Rennel, the building will be at the 10 foot set back.

The FAR is simply a mathematical issue since the building is not necessarily large building. UB has been researching the size of dormitories and the units are comparable to the other dormitories. He then spoke about the pitch of the roof and roof height.

Commissioner Grace asked which view would face the water. Mr. Antonizzi said that it didn't really face the water.

Commissioner Grace asked where the main door would be. Mr. Antonizzi said that most of the students would be using the campus door, which is directly across from the door that will face University Avenue.

Atty. Studer said that the campus was a true gem and mentioned that a number of historic homes have been renovated by UB. One goal is to create a Master Plan for UB so that they would not have to come back for variances. The urgency is because of the condition of Shine Hall.

The variances would allow UB to move forward and are consistent with the various development standards. With the variances, it will allow for the controlled expansion of the university. The FAR will allow more controlled development. The dorm will allow UB to offer competitive new dormitory that is up to date. This will change the consistency from 10 stories to 4 stories and make it more harmonious.

Atty. Studer then spoke about the variances granted to various hospitals in MU-EM zones. He pointed out that 14 years ago, the ZBA had acknowledge that the MU-EM regulations has actually been a hardship for schools wanting to expand.

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

Mr. Pargou came forward and said that he was present to point out that the new design was superior to the previous design and had better landscaping. This building will be constructed on a surface parking lot. The OPED is looking for mixed uses in the South End.

Commissioner Piccirillo asked if there was anyone present who wished to speak against the application.

Ms. Torres, came forward and said that she and her mother lives in near by property. UB has grown and there has been construction underway from 5:30 a.m. to 8:00 p.m. She said that they were the only residential house on the street and have small children in the residence. Everything else is owned by UB. She said that with the new building being approved, she felt that there were more complications and construction. She wanted to know how long the construction would last. She felt that they were being pushed out of their home of 20 years. She said that there was supposed to be an energy plant for UB nearby, which would have the generators running all the time. She said that the last time there was a demolition on Iranistan, they had a horrible rodent problem.

Atty. Studer came back and said that he had been assured that the construction was compliant with the construction standards. He said that UB had done a lot of work to improve the neighborhood. He said that the dorm had to be finished by the 2016. Mr. George Estrada said that there were two university deans that live directly next to the Ms. Torres's residence and if the construction started at 5:30 in the morning, the deans would have been very vocal about it. He said that he would be monitoring the situation now that he was aware of the problem

City Attorney Mark Anastasis then said that the noise ordinance allows noise between 9 a.m. and 6 p.m. on Saturday and Sunday and 7 a.m. and 6 p.m. on week days.

Commissioner Piccirillo closed the public hearing at 7:27 p.m.

ITEM #6 RE: 1380 SEAVIEW AVENUE – Cheddi Dillion, Lessee - Seeking to modify conditions of approval to a petition granted by the Zoning Board of Appeals on 06-02-10, which permitted the establishment of a used car dealership in an R-C zone and coastal area.

This item was deferred to September 9, 2014.

RECESS.

Commissioner Piccirillo announced a recess at 7:27 p.m. He called the meeting back into order at 7:32 p.m.

DECISION SESSION.

ITEM #1 RE: 908 – 910 WOOD AVENUE – VBCI Bridgeport Ministries, Inc.) Seeking a variance of all off-street parking requirements of Sec. 11-1-2 and all landscaping requirements of Sec. 6-1-3 to permit the establishment of a community outreach facility in an OR zone.

**** COMMISSIONER CALCUTT MOVED TO APPROVE ITEM #1 RE: 908 – 910 WOOD AVENUE – VBCI BRIDGEPORT MINISTRIES, INC.) SEEKING A VARIANCE OF ALL OFF-STREET PARKING REQUIREMENTS OF SEC. 11-1-2 AND ALL LANDSCAPING REQUIREMENTS OF SEC. 6-1-3 TO PERMIT THE ESTABLISHMENT OF A COMMUNITY OUTREACH FACILITY IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. HOURS OF OPERATION ARE LIMITED TO 3 DAYS A WEEK:**
 - **3 HOURS ON THURSDAYS**
 - **4 HOURS EACH ON SATURDAYS AND SUNDAYS**
- 2. ON-SITE GATHERINGS OR RENTAL OF THIS FACILITY IS STRICTLY PROHIBITED.**
- 3. ANY ADDITIONAL USES OR CHANGES IN HOURS OF OPERATION WILL NEED ADDITIONAL APPROVALS FROM THE ZONING BOARD OF APPEALS.**

FOR THE FOLLOWING REASONS:

- 1. PROVIDES A SERVICE TO BRIDGEPORT RESIDENTS.**
- 2. USE IS LESS INTRUSIVE THAN THE PREVIOUS KARATE SCHOOL.**
- 3. THE APPROVAL OF THIS APPLICATION WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.**

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

ITEM #2 RE: 900 HOUSATONIC AVENUE – T.F. Holdings, LLC - Seeking a variance of the prohibition of outdoor storage of equipment and materials in a coastal area under Sec. 14-3-3(i), as well as 5’ of the minimum setback requirement of 15’ under Sec. 11-6-1 to validate the existing contractor storage yard in an I-L zone and coastal area

**** COMMISSIONER CAROLAN MOVED TO APPROVE ITEM #2 RE: 900 HOUSATONIC AVENUE – T.F. HOLDINGS, LLC - SEEKING A VARIANCE OF THE PROHIBITION OF OUTDOOR STORAGE OF EQUIPMENT AND MATERIALS IN A COASTAL AREA UNDER SEC. 14-3-3(I), AS WELL AS 5’ OF THE MINIMUM SETBACK REQUIREMENT OF 15’ UNDER SEC. 11-6-1 TO VALIDATE THE EXISTING CONTRACTOR STORAGE YARD IN AN I-L ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE LANDSCAPING SHALL BE INSTALLED IN STRICT ACCORD WITH THE PLAN APPROVED BY THE BOARD AND PROPERLY MAINTAINED.**
- 2. THERE SHALL BE NO STORAGE OF BUILDING MATERIALS OR CONSTRUCTION DEBRIS AT THIS LOCATION AT ANY TIME FOR ANY REASON.**

FOR THE FOLLOWING REASONS:

- 1. THE GRANTING OF THIS PETITION WILL LEGALIZE THIS LONG STANDING USE FOR THE NEW OWNERS OF THE PROPERTY.**
- 2. THE CURRENT AND PROPOSED CONTINUED USE WILL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.**

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

ITEM #3 RE: 1860 PARK AVENUE – Torise Baker , Potential Buyer - Seeking a use variance of Sec. 5-1-2 and also seeking a variance of four (4) of the required six (6) off-street parking spaces of Sec. 11-1-2 to permit the conversion of the existing single-family dwelling into a tax preparation office building in an R-A zone.

**** COMMISSIONER CAROLAN MOVED TO APPROVE ITEM #3 RE: 1860 PARK AVENUE – TORISE BAKER, POTENTIAL BUYER - SEEKING A USE VARIANCE OF SEC. 5-1-2 AND ALSO SEEKING A VARIANCE OF FOUR (4) OF THE REQUIRED SIX (6) OFF-STREET PARKING SPACES OF SEC. 11-1-2 TO PERMIT THE CONVERSION OF THE EXISTING SINGLE-FAMILY DWELLING INTO A TAX**

PREPARATION OFFICE BUILDING IN AN R-A ZONE WITH THE FOLLOWING CONDITIONS:

- 1. THE PETITIONER SHALL REPAIR AND PAINT THE SUBJECT PREMISES.**
- 2. ALL LANDSCAPING SHALL BE PRUNED OR REPLACED AS NEEDED, AND THE PROPERTY SHALL BE PROPERLY MAINTAINED.**
- 3. THE PETITIONER SHALL FILED PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 4. ALL RENOVATIONS AND CONSTRUCTION SHALL BE IN STRICT ACCORD WITH THE BASIC BUILDING CODE OF THE STATE OF CT.**

FOR THE FOLLOWING REASONS:

- 1. THIS BUILDING IS LOCATED IN THE IMMEDIATE AREA OF OTHER PROFESSIONAL USES.**
- 2. THE SUBJECT PREMISES HAS BEEN VACANT FOR OVER 30-MONTHS AND HAS FALLEN INTO A SERIOUS STATE OF DISREPAIR.**
- 3. THE IMPROVEMENTS NEEDED TO ESTABLISH A PROFESSIONAL OFFICE WILL BE A BENEFIT TO THE NEIGHBORHOOD.**

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

ITEM #4 - RE: 113 – 117 WASHINGTON TERRACE – Continuum of Care, Inc. - Appealing under Sec. 14-10 of the Zoning Regulations of the City of Bridgeport and under Sec. 8-7 of the CT General Statutes, whereby it is alleged that the Zoning Enforcement Officer erred in his issuance of an Order to Comply regarding a group living use in an R-B zone.

**** COMMISSIONER GRACE MOVED TO DEFER ITEM #4 - RE: 113 – 117 WASHINGTON TERRACE – CONTINUUM OF CARE, INC. - APPEALING UNDER SEC. 14-10 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT AND UNDER SEC. 8-7 OF THE CT GENERAL STATUTES, WHEREBY IT IS ALLEGED THAT THE ZONING ENFORCEMENT OFFICER ERRED IN HIS ISSUANCE OF AN**

ORDER TO COMPLY REGARDING A GROUP LIVING USE IN AN R-B ZONE TO SEPTEMBER 29, 2014.

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

ITEM #5 RE: 42 RENNELL STREET, 472 & 490 UNIVERSITY AVENUE – Petition of University of Bridgeport – Seeking a variance of 21’ of the maximum height requirement of 45’; the maximum setback requirement of 10’ and the maximum floor area ratio (FAR) of 1.0 under Sec. 8-2-3 to permit the construction of a 4-story student resident hall with a related on-campus parking lot in an MU-EM zone.

**** COMMISSIONER GRACE MOVED TO APPROVE ITEM #5 RE: 42 RENNELL STREET, 472 & 490 UNIVERSITY AVENUE – PETITION OF UNIVERSITY OF BRIDGEPORT – SEEKING A VARIANCE OF 21’ OF THE MAXIMUM HEIGHT REQUIREMENT OF 45’; THE MAXIMUM SETBACK REQUIREMENT OF 10’ AND THE MAXIMUM FLOOR AREA RATIO (FAR) OF 1.0 UNDER SEC. 8-2-3 TO PERMIT THE CONSTRUCTION OF A 4-STORY STUDENT RESIDENT HALL WITH A RELATED ON-CAMPUS PARKING LOT IN AN MU-EM ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT PARCEL SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. THE PETITIONER IS TO SUBMIT APPLICATIONS AND PLANS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 3. ALL CONSTRUCTION SHALL CONFORM TO THE BASIC BUILDING CODE OF THE STATE OF CT.**

FOR FOLLOWING REASONS:

- 1. THE UNIQUE SHAPE OF THE SUBJECT PARCEL AND THE ALIGNMENT OF THE SUBJECT BUILDING TO OTHER BUILDING ON THE STREET WARRANT THE NEED FOR VARIANCES.**
- 2. THE PROPOSED BUILDING IS REPLACING A DATED 10-STORY BUILDING AND WILL PROVIDE MUCH NEEDED ON-SITE PARKING, LESSENING THE EXISTING NON-CONFORMING CONDITIONS.**

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

ITEM #6 RE: 1380 SEAVIEW AVENUE – Cheddi Dillion, Lessee - Seeking to modify conditions of approval to a petition granted by the Zoning Board of Appeals on 06-02-10, which permitted the establishment of a used car dealership in an R-C zone and coastal area.

**** COMMISSIONER GRACE MOVED TO DEFER ITEM #6 RE: 1380 SEAVIEW AVENUE – CHEDDI DILLION, LESSEE - SEEKING TO MODIFY CONDITIONS OF APPROVAL TO A PETITION GRANTED BY THE ZONING BOARD OF APPEALS ON 06-02-10, WHICH PERMITTED THE ESTABLISHMENT OF A USED CAR DEALERSHIP IN AN R-C ZONE AND COASTAL AREA.**

**** COMMISSIONER CAROLAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

APPROVAL OF THE ZBA MINUTES FOR JULY 8, 2014.

**** COMMISSIONER GRACE MOVED TO APPROVE THE MINUTES OF JULY 8, 2014 AS SUBMITTED.**

**** COMMISSIONER CAROLAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT.

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

**** COMMISSIONER GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services.