



ZONING BOARD OF APPEALS
MARCH 11, 2014
MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace
Bridgeport, CT 06604
(203) 576-7217 Phone
(203) 576-7213 Fax

ATTENDANCE: Michael Piccirillo, Chair; Linda Grace, John Carolan,
Robert Russo, Robin Shepard

STAFF: Dennis Buckley, Planning and Zoning Clerk, Paul Boucher,
Assistant Planning and Zoning Clerk; Diego

CALL TO ORDER.

Mr. Piccirillo called the meeting to order at 6:15 p.m.

ROLL CALL.

Mr. Piccirillo then introduced the Board members seated. A quorum was present.

PUBLIC HEARING.

Mr. Piccirillo announced that a letter requesting deferment Agenda Item #3 - 3115 Fairfield Avenue had been received. Therefore that item would not be heard at this meeting.

Mr. Piccirillo then reviewed the procedure.

#1 RE: 250 BROOKLAWN AVENUE – Southern N.E. Conference Assoc. of 7th Day Adventist - Seeking a variance of the prohibition of an accessory structure located in the front yard under Sec. 4-9-1(a) and also seeking variances of the prohibition of an accessory structure being used for human habitation under Sec. 4-9-1(d), as well as minimum height requirement of Sec. 5-1-3 to permit the construction of a 2-story 3-car garage with an apartment above in an R-A zone.

Mr. Lagrasse came forward and turned in the mailing receipts. He said that they were looking to construct a free standing building on their parcel. It would be a two story detached structure with the first floor as a three car garage and the second story as a living space with some storage.

Mr. Lagrasse then displayed a site plan and showed the Board Members the location of the proposed building. He explained that the parcel has frontage on three sides and does not have a rear parcel. Because of this, they were requesting a variance for the front yard set backs. The applicant is also requesting a height variance and a variance to allow the accessory residence on the second floor.

Mr. Piccirillo asked why they want to remove the old garage. Mr. Lagrasse said that originally the plan was to demolish the existing building, but the Historic Commission had requested that the building be restored and used for church function.

Mr. Russo asked how many parking spaces would be lost when the new building was constructed. Mr. Lagrasse said that the current lot was unstriped and there are generally about 24 parking spaces. When the building is constructed there would be 27 spaces and the vehicles would be in the garage. Mr. Russo said that Unquowa Hill Road was narrow and he had trouble with having two garage structures on the parcel particular when one was not being used. Mr. Lagrasse said that the church has planned to take the building down, but the Historical Commission had requested that it be renovated.

Mr. Russo asked who would be living in the accessory apartment. Mr. Lagrasse said that currently a caretaker lives in the main building, but the church wants to do some remodel the interior and that space is needed.

Mr. Russo asked to see the floor plan for the accessory apartment. Mr. Lagrasse displayed that. Mr. Russo asked why the closet in the floor plan was bigger than the bedroom. Mr. Lagrasse said that the closet was actually under the eaves and much smaller than what it appeared.

Mr. Russo asked what the church planned to do with the kitchen in the interior. Mr. Lagrasse reviewed those details. Mr. Piccirillo asked if they would agree to the conditions of approval. Mr. Lagrasse said that they would.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the hearing on 250 Brooklawn Avenue.

#2 - RE: 3369 FAIRFIELD AVENUE – Philbin’s Nursery - Seeking a modification of the approved plan of development, as well as expunging a condition of approval to a petition granted by the Zoning Board of Appeals on 06/12/12, which permitted the retail garden center use in an OR zone.

Mr. James Philbin came forward and greeted the Commission. He said that he was requesting that one if not two of their delivery trucks be allowed to park onsite. He said that when the location is filled with stock, the trucks will be parked in a space that would be camouflaged from the street view. Mr. Philbin said that he had a photo of his truck that would be on the property and a photo of Treeland's truck on site.

Mr. Piccirillo asked if Mr. Philbin was aware that he did not have a certificate of occupancy. Mr. Philbin said that he did not know this and thought it had been completed. Mr. Piccirillo listed the various things such as a framed sign on the sidewalk that were issues.

Mr. Buckley came forward said that the business was operating on a temporary C.O. because there were a few conditions that had not been complied with. He added that if the Commission allows the middle space as gravel, it would allow for drainage.

Ms. Grace asked about some snowplows that she had seen on the parcel. Mr. Philbin said that he and his father had them there temporarily.

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

Council Member Susan Brannelly came forward to speak in favor of this application. She said that Mr. Philbin has been a good neighbor and provided a business that has enhanced the neighborhood. She said that she was present to request the variance be approved.

Mr. Stuart Sachs, a landscape architect came forward to speak in favor of the application. He said that it was making a positive contribution and a mom and pop business. Mr. Sachs said that there were numerous neighboring sites that had large box trucks in the surrounding area.

Mr. Peter McGuinness came forward and greeted the Commission. He said that he was present in favor of the petition. He said that as a resident, he drives by the location at least twice a day. This had been a empty lot and now it has a thriving family business.

Mr. McGuinness said that Clear View Glass has a big truck as does another store a tenth of a mile doe

Ms. Marti Kiernan came forward and said that Mr. Philbin had done a great deal to raise the community spirit, such as donating a Christmas tree to the neighborhood.

Ms. Teresa Rossi, a neighbor, came forward and said that she was pleased with the improvements that they have made on the parcel. She said that she had no problem with a truck on the parcel since it would be part of the business.

Ms. Stephanie Barnes came forward and said that she was VP of the NRZ and that this business has been a great addition to the neighborhood.

Mr. Piccirillo said that he had received two letters in support, one from Ms. Nina Gibson and a second one from Mr. Gerry Manning.

March 9, 2014

To Whom it May Concern,

City of Bridgeport
Zoning Board of Appeals
Regular Meeting
March 11, 2014

I am writing in support of JP Philbin Landscapes on Fairfield Ave. in Black Rock. As you know, the commercial aspect of Fairfield Ave. in Black Rock is in dire need of a face lift and businesses that can bring in customers and keep our neighborhood vibrant and economically sound. The addition of this business has been very positive for both these initiatives.

First – they completely revamped the site, erecting a lovely barn and garden center right on the avenue that is visually appealing as one drives up from Fairfield. The lot extends quite a bit back – giving ample space for customer vehicles, tree inventory and equipment needed for their business. This allows for a clean site line of the business and seasonal displays.

Secondly – as the only landscape/garden center in Black Rock, they offer us an opportunity to invest money into our own neighborhood –while improving our own homes and businesses!

I am a 15 year resident of Black Rock, a Black Rock Community Council member and customer of JP Philbin Landscapes. In the short time that James and his family has been part of the our community they have been great supporters of Black Rock – from giving to our annual Black Rock Day fundraiser to donating the Christmas Tree at the circle for our annual Black Rock Christmas Tree lighting festivities.

Black Rock is at the cusp of great potential –the focus of which needs to be on revitalizing our business district. We need to support those businesses that help move our neighborhood forward – that are both commercially viable and improve our streetscape. JP Philbin Landscapes offers both, why would we as a community hinder their ability to grow and flourish in our neighborhood?

Thank you.

Nina Gibson

Woodland Ave. Black Rock

Hello Dennis:

I'm unable to attend the Philbin hearing this evening.

I do want to speak in support of their modification application to permit two small delivery vehicles to be parked on the property.

My understanding is that they will be parked, backed in or face in, to the left rear of the property, near to or partially on the Clearview right rear lot, up against the abutment which is obscured from above residential view.

I understand that this modification will complete Philbin's retail operations requirement to fully serve their retail client base.

Please feel free to pass this along to the Board.

Thank you,

Gerry Manning
195 Grovers Avenue

Mr. Piccirillo then asked if there was anyone present who wished to speak against the application. No one came forward. Mr. Piccirillo said that he had received a letter from Ms. Diane Vulcano who was concerned about the application

March 11, 2014

Dear ZBA Board Members:

My name is Diane Vulcano and I live on 65 Beachview Avenue in Bridgeport. My property borders the Philbin business on the 3375 Fairfield Avenue property. I am writing this letter as I am concerned about the Philbin's recent application and I am unable to attend the meeting in person this evening.

The Conditions that were outlined when this application was approved on June 12, 2012 very clearly stated that storage of equipment would be limited to a small bobcat and a small skid steer and that there would be no storage of vehicles on the site for any reason any time. From what I understand the Philbin's are now requesting approval to store their landscaping trucks on the property. I do not understand why the Conditions that were clearly outlined in the original approval would change. This is supposed to be a retail garden center not a staging site for a commercial landscaping business. As a property owner in direct view of this site, I am asking you to please deny this request. There is no hardship and no reason to approve this change.

Thank you for your consideration.

Regards,

Diane Vulcano
65 Beachview Avenue
Bridgeport, CT 06605

MAR 11 '14 AM 8:01

Mr. Piccirillo closed the public hearing on 3369 Fairfield Avenue.

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#3 RE: 3115, 3129, 3135 FAIRFIELD AVENUE & 704 COURTLAND AVENUE – 3115 Fairfield Avenue LLC - Seeking variances of the maximum height requirement of 35 ft.; floor ratio requirement of .75 sq. ft. of property per residential unit, and 35 of the required on-site parking spaces under Sec. 6-1-3, and also seeking variances of the ground floor window requirements under Sec. 6-1-4; the minimum parking area setback landscaping of Sec. 11-1-13 and compliance with Sec. 6-2-1 to permit the construction of a 5-story, 58-unit apartment building with 61 on-site parking spaces in an OR zone and coastal area.

This application has been deferred to April 8, 2014.

#4 136 Quincy Street - – Joseph Iannelli - Seeking a variance under Sec. 5-1-3 of the required 2,700 sq. ft. of property per residential unit to permit the construction of a 3-story, 2-family dwelling in an R-C zone.

Atty. Rizio came forward and said that he was present to represent his client. He said that the property was an R-C zone. Mr. Iannelli would like to construct a three story, two family dwelling. He then distributed copies of the land records card and displayed photos of the neighboring homes. The request was for relief from the 2,700 sq. ft. requirement. The parcel is a non conforming lot and this is a classic case of hardship.

Ms. Grace said that the tree in the front yard needed to come down.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo asked if there was anyone present who wished to speak in opposition to the application.

Ms. Sharon Whitmore, a neighbor said that her house was an abutting property. She said that if the house went up, it would severely limit her view. She said that she has a 3 week old baby in the house. She expressed that the street curves and it would make thing difficult. She said that as a widow and has to protect her property value. She then submitted a letter of opposition.,

Ms. Whitmore's letter was as follows:

February 28, 2014

Dear Zoning Board of Appeals,
Care of Mr. Dennis Buckley.

I Sharon Whitmore property owner of 110 Quince Street, Bridgeport, CT 06606 do not favor and oppose the petition that has been submitted to the Zoning Board of Appeals for the property of 118 and 136 Quince St. Bpt. CT 06606.

This is because I already have one house so close to me on the other side owned by another property owner. My house also sits back on my property and I would not like

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anything blocking where I would only be able to see just in front of me, which is just a white fence and can't see a street view.

I am a widow, I just paid to have things done on my house which also includes house painted and new windows put in this past summer and I do not have any money to have the things I have done repeated over again. Dust get in the house and who's cleaning windows from all this dust? I have a young child here with asthma and a new born baby here. Please put yourself in my family's shoes. How would you feel. This has been a nice decent and quiet street with good neighbors which you do not find everywhere. I pray it will stay that way.

Respectfully

Sharon Whitmore + family.

Ms. Urlonga Graves came forward and said that she was against this because the street is a quiet street and the neighbors have seen people hanging out and smoking other materials than tobacco. The street is already tight and this would just add more traffic. She said that she was speaking for two other neighbors who could not make the meeting.

Atty. Rizio said that the concerns about parking were not a problem as the building has garages and will have spaces for two vehicles for the two units. The applicant is not asking for a parking variance. The owner is considering residing in one unit and renting out the other one.

Mr. Piccirillo then closed the hearing on 136 Quince Street.

#5 RE: 655 STILLMAN STREET – Achievement First Bridgeport - Seeking variances of the maximum site coverage, the minimum side yard setback, and the minimum landscaping requirements of Sec. 5-1-3, and also seeking variances of interior landscaping under Sec. 11-1-13; required buffering of the L3 standard for properties across from the subject site under Sec. 12-8h, as well as the buffering requirement for abutting residential properties of Sec. 12-8g; the minimum parking area setback and perimeter landscaping and the minimum landscaping abutting an R-zoned lot as required under Sec. 11-1-13. In addition, a waiver is sought for relief of the on-site parking spaces required under Sec. 11-1-2 and the maximum height of fencing requirement of Sec. 11-8-3b to permit the renovation and construction of a 1-story, 66, 454 sq. ft. addition to the existing school building in an R-C zone.

Atty. Rizio came forward and introduced himself to the Commission. He turned in the green cards. He said that he was present to represent the applicant. He said that the school was adding on space.

Mr. Michael Herring, the facility of Achievement First, came forward and said that the school started in 2010 and was K-4. The addition will allow for a cafeteria and a gymnasium. The applicant will be adding green space,

Atty. Rizio indicated where the buses would come in, discharge the children and exit on to Berkshire Avenue. The school will be purchasing the parcel from the City. Mr. Piccirillo said that most of the variance were because of pre-existing conditions. Landscaping will go up from 5% to 25%. He indicated where the landscaping would be done and showed where the fencing was. There is a existing fence that is four feet high, but the school would like to increase it to six feet.

The improvements will bring the non-conforming parcel closer to conformity.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the hearing on 655 Stillman Street.

#6 - RE: 285 MAPLEWOOD AVENUE – Cellco Partnership d/b/a Verizon Wireless - Seeking a variance of the maximum height of 5-1-3 and the maximum height of roof top equipment of Sec. 4-4-1, and also seeking a variance of the required roof top equipment setback of Sec. 4-3-4 to permit the installation of telecommunication equipment and antennas in an R-C zone.

Mr. Ken Baldwin of Robinson and Cole, came forward. He said that he had requests for three different sites. Mr. Baldwin turned in the mailing cards. Verizon will be will the second carrier at this location. He reviewed the site plans and indicated where the antennas would be on the building. The RC zone regulations only allows 45 feet in height, so that requires a variance. This will allow more coverage for the area, and provide greater capacity. The building is an existing non-conforming building.

Mr. Piccirillo asked where T-Mobile's antennas were. He was told that they were between the 8th and 9th floor. Verizon's antenna would be set back 10 feet. from the roof edge.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the hearing on 285 Maplewood Avenue.

#7 RE: 2400 NORTH AVENUE – Cellco Partnership d/b/a Verizon Wireless - Seeking a variance of the maximum height of 5-1-3 and the maximum height of roof top equipment of Sec. 4-4-1, and also seeking a variance of the required roof top equipment setback of Sec. 4-3-4 to permit the installation of telecommunication equipment and antennas in an R-C zone.

Mr. Ken Baldwin of Robinson and Cole, came forward. He turned in the receipts. This application is similar to the previous one, but is near a historic district so there will be brick patterned screens around the antennas and the equipment shelter.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo then asked if there was anyone present who wished to speak against the application.

Ms. Anne Katis of 2403 North Avenue came forward and said that she had just heard about the application. She pointed out that there is already coverage in the area. She said that the antennas will be across the street from her son's bedroom window and within 1,500 feet of a daycare center. She said that she was requesting that this application be put on hold.

Mr. Baldwin pointed out there was coverage but that the channels were reaching capacity. He said that Verizon is well below what the worse case scenario would be for the FCC standards. There are facilities on school properties and adjacent to school properties and there has not been any issues.

Mr. Piccirillo closed the public hearing on 2400 North Avenue.

**#8 RE: 510 BARNUM AVENUE, (AKA 803 EAST WASHINGTON AVENUE)
BUILDING #8 – Cellco Partnership d/b/a Verizon Wireless - Seeking variances of the maximum height requirement under Sec. 7-1-3 and the maximum height requirement of roof top equipment under Sec. 4-4-1 to permit the installation of telecommunication equipment and antennas in an I-L zone.**

Ms. Emily Scott came forward to present the application. She turned in the mailing receipts. She said this application follows closely the previous two applications. This existing multi-purpose facility and would include an equipment shelter and the antenna. There are several other antennas from Metro PCS and T-Mobile already there. Verizon will be installing a tri-sector antenna. Anything on the roof would exceed the 75 foot height. Ms. Scott reviewed the height calculations with the ZBA. The purpose would be within the uses for an I-L zone and would enhance public safety by providing better coverage in that area.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the hearing on 510 Barnum Avenue.

#9 – RE: 709 – 711 IRANISTAN AVENUE – Anthony Ramos - Seeking a variance of the 2,700 sq. ft. of property per residential unit under Sec. 5-1-3 and the vehicle maneuvering space requirement of Sec. 11-1-10, as well as the minimum driveway width as required

under Sec. 11-1-11 to legalize the 3rd floor apartment in the existing 2-family dwelling in an R-C zone.

Mr. Anthony Ramos turned in the mailing receipts. Mr. Ramos came forward and said that he was seeking a variance regarding parking. There is a one car garage on the property. The house is a three family house. Mr. Piccirillo then asked about the third floor and noted that the tax card indicated that it was a two family. There are three meters on the building already.

Mr. Hu Hong Ji came forward said that he was the owner and there were three meters installed. The third meter covers the third floor and the basement. Mr. Piccirillo said that the exterior needed work. Mr. Ji agreed and said that he was planning to side the house and fix the porch.

Mr. Ji said that the house is taxed as a three family but the third floor is not occupied. Mr. Piccirillo said that the Tax Assessor's records indicated it was a two family. He said that he believed that the last owner had three families but since he has owned it, the third floor has been vacant.

Ms. Grace had several questions about the parking lay out, which Mr. Ji reviewed with her.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the hearing on 711 Iranistan Avenue.

#10 - RE: 917 WOOD AVENUE – Juliette LeCornec - Seeking a use variance under Sec. 6-1-2 and a variance of the maximum front setback requirement under Sec. 6-1-3 to permit the construction of a 2-family dwelling in an OR zone.

Mr. John Santos turned in the green receipts and said that he was present to represent the owner. The application is to construct a two family home and the variance was for a reduction of the front set back. This is in an mixed use neighborhood. Ms. LeCornec said that it would be owner occupied on one floor.

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

#11 RE: 84 CALVERT PLACE – Shaheed Mohammed - Seeking a variance of the maximum height requirement for fencing of 6' within the front setback under Sec. 11-8-3b to legalize the existing privacy fence in an R-A zone.

Mr. Shaheed Mohammad came forward and said that he was seeking a variance for a pre-existing fence. He said that the fence has been there for at least eight years.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Piccirillo then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the hearing on 84 Calvert Place/

#12 – RE: 533 – 541 CENTRAL AVENUE – Ontra Stone Concepts, LLC -

Mr. Buckley stated that a request had come in to defer this application to April 8, 2014.

T-1 (C-1) RE: 704, 716, 724 EAST MAIN STREET & 30 WALTER STREET – BNM Builders and Developers, LLC - Seeking variances of 2.4 ft. of the minimum 10 ft. setback and FAR requirement of Sec. 6-1-3, and also seeking to waive 11 (eleven) of the required 36 on-site parking spaces under Sec. 11-1-2, and also waiving all of the interior landscaping required under Sec. 11-1-13 to permit the construction of a 3-story mixed use residential and retail building in an OR zone.

Mr. Diego Guerro came forward and explained that he had met with the applicant and that they had worked out most of the issues. There is only one issue with the truck loading area. He also suggested that as condition of approval that there been windows on both stairways.

T-2 (#1) RE: 146 ANDOVER STREET – Bridgeport Biodiesel - Seeking variances of the front setback requirement, height requirement, and landscaping requirements under Sec. 7-1-3 to permit the installation of 12 (twelve) storage containers ranging from 15’ to 38’ in height along the street frontage of the existing industrial building in a I-L zone.

Atty. Rizio said that the tanks have been reduced to be below the roof line and the number of tanks reduced from 12 to 11. Royal Flush will be moving out. As a condition of approval, the applicant will remove the toilet on the roof.

Mr. Piccirillo closed the public hearing portion of meeting at 8:00 p.m.

DECISION SESSION.

ITEM (#1) RE: 250 BROOKLAWN AVENUE – Southern N.E. Conference Assoc. of 7th Day Adventist - Seeking a variance of the prohibition of an accessory structure located in the front yard under Sec. 4-9-1(a) and also seeking variances of the prohibition of an accessory structure being used for human habitation under Sec. 4-9-1(d), as well as minimum height requirement of Sec. 5-1-3 to permit the construction of a 2-story 3-car garage with an apartment above in an R-A zone.

A discussion followed about the existing structure.

**** MS. GRACE MOVED TO DENY WITHOUT PREJUDICE THE APPLICATION ITEM (#1) RE: 250 BROOKLAWN AVENUE – SOUTHERN N.E. CONFERENCE ASSOC. OF 7TH DAY ADVENTIST - SEEKING A VARIANCE OF THE PROHIBITION OF AN ACCESSORY STRUCTURE LOCATED IN THE FRONT YARD UNDER SEC. 4-9-1(A) AND ALSO SEEKING VARIANCES OF THE PROHIBITION OF AN ACCESSORY STRUCTURE BEING USED FOR HUMAN HABITATION UNDER SEC. 4-9-1(D), AS WELL AS MINIMUM HEIGHT REQUIREMENT OF SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2-STORY 3-CAR GARAGE WITH AN APARTMENT ABOVE IN AN R-A ZONE FOR THE FOLLOWING REASON:**

THE PROJECT, AS PRESENTED, WOULD BE OUT OF CHARACTER WITH THIS R-A ZONED NEIGHBORHOOD.

**** MR. RUSSO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#2 RE: 3369 FAIRFIELD AVENUE – Philbin’s Nursery - Seeking a modification of the approved plan of development, as well as expunging a condition of approval to a petition granted by the Zoning Board of Appeals on 06/12/12, which permitted the retail garden center use in an OR zone.

**** MS. GRACE MOVED TO APPROVE APPLICATION #2 RE: 3369 FAIRFIELD AVENUE – PHILBIN’S NURSERY - SEEKING A MODIFICATION OF THE APPROVED PLAN OF DEVELOPMENT, AS WELL AS EXPUNGING A CONDITION OF APPROVAL TO A PETITION GRANTED BY THE ZONING BOARD OF APPEALS ON 06/12/12, WHICH PERMITTED THE RETAIL GARDEN CENTER USE IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

(NOTE: THE GRANTING OF THIS PETITION IS NOT TO BE MISCONSTRUED AS AN APPROVAL OF ANY LANDSCAPING ACTIVITY FOR THE PHILBIN LANDSCAPING BUSINESS, WHICH IS NOT TO OPERATE FROM THE SUBJECT SITE.)

CONDITIONS:

- 1. THIS APPROVAL IS FOR A SINGLE, ONE TON PICK-UP TRUCK, WHICH IS TO BE USED FOR THE DELIVERY OF PLANTS AND TREES PURCHASED AT THIS FACILITY.**
- 2. DELIVERY HOURS ARE FROM 8AM TO 5PM, MONDAY THRU FRIDAY.**
- 3. THE PETITIONER IS TO DISCONTINUE ADVERTISING ON THE ESPLANADE PUBLIC RIGHT-OF-WAY.**

4. **THE REMAINING CONDITIONS OF APPROVAL OF 06/12/12, AS WELL AS ALL PREVIOUS CONDITIONS OF APPROVAL ARE INCORPORATED INTO THIS APPROVAL.**

FOR THE FOLLOWING REASONS:

1. **THE BULK AND WEIGHT OF TREES AND SHRUBS NECESSITATE THE NEED FOR A DELIVERY VEHICLE.**
2. **THE PETITIONER STATED THE DELIVERY TRUCK WOULD BE STORED OUT OF SITE IN THE AREA PREVIOUSLY USED FOR THE ROLL-OFF CONTAINER (DUMPSTER).**
3. **RELIEF FROM THE PAVING REQUIREMENTS ON THE APPROVED SITE PLAN WILL INCREASE SITE DRAINAGE AND PROHIBIT WATER RUN-OFF FROM THE SUBJECT PREMISES.**

**** MS. SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#3 RE: 3115, 3129, 3135 FAIRFIELD AVENUE & 704 COURTLAND AVENUE – 3115 Fairfield Avenue LLC - Seeking variances of the maximum height requirement of 35 ft.; floor ratio requirement of .75 sq. ft. of property per residential unit, and 35 of the required on-site parking spaces under Sec. 6-1-3, and also seeking variances of the ground floor window requirements under Sec. 6-1-4; the minimum parking area setback landscaping of Sec. 11-1-13 and compliance with Sec. 6-2-1 to permit the construction of a 5-story, 58-unit apartment building with 61 on-site parking spaces in an OR zone and coastal area.

**** MS. GRACE MOVED TO DEFER APPLICATION #3 RE: 3115, 3129, 3135 FAIRFIELD AVENUE & 704 COURTLAND AVENUE – 3115 FAIRFIELD AVENUE LLC - SEEKING VARIANCES OF THE MAXIMUM HEIGHT REQUIREMENT OF 35 FT.; FLOOR RATIO REQUIREMENT OF .75 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT, AND 35 OF THE REQUIRED ON-SITE PARKING SPACES UNDER SEC. 6-1-3, AND ALSO SEEKING VARIANCES OF THE GROUND FLOOR WINDOW REQUIREMENTS UNDER SEC. 6-1-4; THE MINIMUM PARKING AREA SETBACK LANDSCAPING OF SEC. 11-1-13 AND COMPLIANCE WITH SEC. 6-2-1 TO PERMIT THE CONSTRUCTION OF A 5-STORY, 58-UNIT APARTMENT BUILDING WITH 61 ON-SITE PARKING SPACES IN AN OR ZONE AND COASTAL AREA TO APRIL 8, 2014.**

**** MR. RUSSO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#4 RE: 136 QUINCE STREET – Joseph Iannelli - Seeking a variance under Sec. 5-1-3 of the required 2,700 sq. ft. of property per residential unit to permit the construction of a 3-story, 2-family dwelling in an R-C zone.

**** MS. GRACE MOVED TO APPROVE APPLICATION #4 RE: 136 QUINCE STREET – JOSEPH IANNELLI - SEEKING A VARIANCE UNDER SEC. 5-1-3 OF THE REQUIRED 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT TO PERMIT THE CONSTRUCTION OF A 3-STORY, 2-FAMILY DWELLING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. THE PETITIONER IS TO FILE PLANS AND APPLICATIONS 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.**
- 4. THE FRONT OF THE SUBJECT PREMISES SHALL BE PLANTED TO THE L2 STANDARD AND PROPERLY MAINTAINED.**

FOR THE FOLLOWING REASONS:

- 1. THE GRANTING OF THIS PETITION WILL HAVE NO NEGATIVE IMPACT ON THE IMMEDIATE AREA.**
- 2. THIS APPROVAL WILL PROVIDE NEW LIVING ACCOMMODATIONS IN THE CITY, AS WELL AS BEING AN IMPROVEMENT TO THE NEIGHBORHOOD.**

**** MS. SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#5 RE: 655 STILLMAN STREET – Achievement First Bridgeport - Seeking variances of the maximum site coverage, the minimum side yard setback, and the minimum landscaping requirements of Sec. 5-1-3, and also seeking variances of interior landscaping under Sec. 11-1-13; required buffering of the L3 standard for properties across from the subject site under Sec. 12-8h, as well as the buffering requirement for abutting residential properties of Sec. 12-8g; the minimum parking area setback and perimeter landscaping and the minimum landscaping abutting an R-zoned lot as required under Sec. 11-1-13. In addition, a waiver is sought for relief of the on-site parking spaces required under Sec. 11-1-2 and

the maximum height of fencing requirement of Sec. 11-8-3b to permit the renovation and construction of a 1-story, 66, 454 sq. ft. addition to the existing school building in an R-C zone.

**** MR. RUSSO MOVED TO APPROVE APPLICATION # 5 RE: 655 STILLMAN STREET – ACHIEVEMENT FIRST BRIDGEPORT - SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE, THE MINIMUM SIDE YARD SETBACK, AND THE MINIMUM LANDSCAPING REQUIREMENTS OF SEC. 5-1-3, AND ALSO SEEKING VARIANCES OF INTERIOR LANDSCAPING UNDER SEC. 11-1-13; REQUIRED BUFFERING OF THE L3 STANDARD FOR PROPERTIES ACROSS FROM THE SUBJECT SITE UNDER SEC. 12-8H, AS WELL AS THE BUFFERING REQUIREMENT FOR ABUTTING RESIDENTIAL PROPERTIES OF SEC. 12-8G; THE MINIMUM PARKING AREA SETBACK AND PERIMETER LANDSCAPING AND THE MINIMUM LANDSCAPING ABUTTING AN R-ZONED LOT AS REQUIRED UNDER SEC. 11-1-13. IN ADDITION, A WAIVER IS SOUGHT FOR RELIEF OF THE ON-SITE PARKING SPACES REQUIRED UNDER SEC. 11-1-2 AND THE MAXIMUM HEIGHT OF FENCING REQUIREMENT OF SEC. 11-8-3B TO PERMIT THE RENOVATION AND CONSTRUCTION OF A 1-STORY, 66, 454 SQ. FT. ADDITION TO THE EXISTING SCHOOL BUILDING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 5. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 6. THE APPLICANT IS TO FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 7. ALL CONSTRUCTION ACTIVITY SHALL BE IN COMPLIANCE WITH THE BASIC BUILDING CODE OF THE STATE OF CT.**

FOR THE FOLLOWING REASONS:

- 1. THE UNIQUE SHAPE OF THE SUBJECT PREMISES NECESSITATES VARIANCES FOR THE REDEVELOPMENT OF THIS EXISTING EDUCATIONAL FACILITY.**
- 2. THE PROJECT, AS APPROVED, WILL PROVIDE A NEEDED SERVICE TO BRIDGEPORT RESIDENT SCHOOL CHILDREN.**

**** MS. GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#6 RE: 285 MAPLEWOOD AVENUE – Cellco Partnership d/b/a Verizon Wireless - Seeking a variance of the maximum height of 5-1-3 and the maximum height of roof top equipment of Sec. 4-4-1, and also seeking a variance of the required roof top equipment setback of Sec. 4-3-4 to permit the installation of telecommunication equipment and antennas in an R-C zone.

**** MR. CAROLAN MOVED TO APPROVE APPLICATION #6 RE: 285 MAPLEWOOD AVENUE – CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS - SEEKING A VARIANCE OF THE MAXIMUM HEIGHT OF 5-1-3 AND THE MAXIMUM HEIGHT OF ROOF TOP EQUIPMENT OF SEC. 4-4-1, AND ALSO SEEKING A VARIANCE OF THE REQUIRED ROOF TOP EQUIPMENT SETBACK OF SEC. 4-3-4 TO PERMIT THE INSTALLATION OF TELECOMMUNICATION EQUIPMENT AND ANTENNAS IN AN R-C ZONE WITH THE FOLLOWING CONDITION:**

THE INSTALLATION OF THE TELECOMMUNICATION EQUIPMENT AND ANTENNAS SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.

FOR THE FOLLOWING REASON:

UPGRADING THE EXISTING EQUIPMENT WILL BE A BENEFIT TO RESIDENTS, AS WELL AS TRAVELERS THROUGH THE BRIDGEPORT AREA.

**** MS. GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#7 RE: 2400 NORTH AVENUE – Cellco Partnership d/b/a Verizon Wireless - Seeking a variance of the maximum height of 5-1-3 and the maximum height of roof top equipment of Sec. 4-4-1, and also seeking a variance of the required roof top equipment setback of Sec. 4-3-4 to permit the installation of telecommunication equipment and antennas in an R-C zone.

**** MR. CAROLAN MOVED TO APPROVE APPLICATION #7 RE: 2400 NORTH AVENUE – CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS - SEEKING A VARIANCE OF THE MAXIMUM HEIGHT OF 5-1-3 AND THE MAXIMUM HEIGHT OF ROOF TOP EQUIPMENT OF SEC. 4-4-1, AND ALSO SEEKING A VARIANCE OF THE REQUIRED ROOF TOP EQUIPMENT SETBACK OF SEC. 4-3-4 TO PERMIT THE INSTALLATION OF TELECOMMUNICATION EQUIPMENT AND ANTENNAS IN AN R-C ZONE WITH THE FOLLOWING CONDITION:**

THE INSTALLATION OF THE TELECOMMUNICATION EQUIPMENT AND ANTENNAS SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.

FOR THE FOLLOWING REASONS:

UPGRADING THE EXISTING EQUIPMENT WILL BE A BENEFIT TO RESIDENTS, AS WELL AS TRAVELERS THROUGH THE BRIDGEPORT AREA.

**** MS. GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#8 RE: 510 BARNUM AVENUE, (AKA 803 EAST WASHINGTON AVENUE) BUILDING #8 – Cellco Partnership d/b/a Verizon Wireless - Seeking variances of the maximum height requirement under Sec. 7-1-3 and the maximum height requirement of roof top equipment under Sec. 4-4-1 to permit the installation of telecommunication equipment and antennas in an I-L zone.

**** MR. CAROLAN MOVED TO APPROVE APPLICATION #8 RE: 510 BARNUM AVENUE, (AKA 803 EAST WASHINGTON AVENUE) BUILDING #8 – CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS - SEEKING VARIANCES OF THE MAXIMUM HEIGHT REQUIREMENT UNDER SEC. 7-1-3 AND THE MAXIMUM HEIGHT REQUIREMENT OF ROOF TOP EQUIPMENT UNDER SEC. 4-4-1 TO PERMIT THE INSTALLATION OF TELECOMMUNICATION EQUIPMENT AND ANTENNAS IN AN I-L ZONE WITH THE FOLLOWING CONDITION:**

THE INSTALLATION OF THE TELECOMMUNICATION EQUIPMENT AND ANTENNAS SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.

FOR THE FOLLOWING REASONS:

UPGRADING THE EXISTING EQUIPMENT WILL BE A BENEFIT TO RESIDENTS, AS WELL AS TRAVELERS THROUGH THE BRIDGEPORT AREA.

**** MS. GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#9 RE: 709 – 711 IRANISTAN AVENUE – Anthony Ramos - Seeking a variance of the 2,700 sq. ft. of property per residential unit under Sec. 5-1-3 and the vehicle maneuvering space requirement of Sec. 11-1-10, as well as the minimum driveway width as required under Sec. 11-1-11 to legalize the 3rd floor apartment in the existing 2-family dwelling in an R-C zone.

**** MR. RUSSO MOVED TO DENY APPLICATION #9 RE: 709 – 711 IRANISTAN AVENUE – ANTHONY RAMOS - SEEKING A VARIANCE OF THE 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT UNDER SEC. 5-1-3 AND THE VEHICLE MANEUVERING SPACE REQUIREMENT OF SEC. 11-1-10, AS WELL AS THE MINIMUM DRIVEWAY WIDTH AS REQUIRED UNDER SEC. 11-1-11 TO LEGALIZE THE 3RD FLOOR APARTMENT IN THE EXISTING 2-FAMILY DWELLING IN AN R-C ZONE FOR THE FOLLOWING REASON:**

THE PETITIONER FAILED TO ESTABLISH AN UNUSUAL CONDITION OR HARDSHIP RELATING TO THE PROPOSED USE OF THE SUBJECT PREMISES.

**** MS. SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#10 RE: 917 WOOD AVENUE – Juliette LeCornec - Seeking a use variance under Sec. 6-1-2 and a variance of the maximum front setback requirement under Sec. 6-1-3 to permit the construction of a 2-family dwelling in an OR zone.

**** MS. GRACE MOVED TO APPROVE APPLICATION #10 RE: 917 WOOD AVENUE – JULIETTE LECORNEC - SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND A VARIANTE OF THE MAXIMUM FRONT SETBACK REQUIREMENT UNDER SEC. 6-1-3 TO PERMIT THE CONSTRUCTION OF A 2-FAMILY DWELLING IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. THE FRONT OF THE SUBJECT PREMISES SHALL BE PLANTED TO THE L2 STANDARD AND PROPERLY MAINTAINED.**
- 3. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

FOR THE FOLLOWING REASONS:

- 1. THE DEVELOPMENT OF THE SUBJECT PREMISES WILL BE AN IMPROVEMENT TO THE IMMEDIATE AREA, AND WILL PROVIDE 2 NEW HOUSING UNITS IN AN OLD ESTABLISHED NEIGHBORHOOD.**

**** MR. RUSSO SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

#11 RE: 84 CALVERT PLACE – Shaheed Mohammed - Seeking a variance of the maximum height requirement for fencing of 6’ within the front setback under Sec. 11-8-3b to legalize the existing privacy fence in an R-A zone.

****MS. GRACE MOVED TO APPROVE APPLICATION #11 RE: 84 CALVERT PLACE – SHAHEED MOHAMMED - SEEKING A VARIANCE OF THE MAXIMUM HEIGHT REQUIREMENT FOR FENCING OF 6’ WITHIN THE FRONT SETBACK UNDER SEC. 11-8-3B TO LEGALIZE THE EXISTING PRIVACY FENCE IN AN R-A ZONE FOR THE FOLLOWING REASON:**

THE LOCATION OF THE FENCE DOES NOT INTERFERE WITH THE LINE OF SIGHT AT THE INTERSECTION AND PROVIDES SECURITY AND PRIVACY FOR THE RESIDENTS OF THE HOME.

**** MR. RUSSO SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

#12 RE: 533 – 541 CENTRAL AVENUE – Ontra Stone Concepts, LLC –

This item was deferred to April 8, 2014.

T-1 (C-1) RE: 704, 716, 724 EAST MAIN STREET & 30 WALTER STREET – BNM Builders and Developers, LLC - Seeking variances of 2.4 ft. of the minimum 10 ft. setback and FAR requirement of Sec. 6-1-3, and also seeking to waive 11 (eleven) of the required 36 on-site parking spaces under Sec. 11-1-2, and also waiving all of the interior landscaping required under Sec. 11-1-13 to permit the construction of a 3-story mixed use residential and retail building in an OR zone.

**** MS. GRACE MOVED TO APPROVE APPLICATION T-1 (C-1) RE: 704, 716, 724 EAST MAIN STREET & 30 WALTER STREET – BNM BUILDERS AND DEVELOPERS, LLC - SEEKING VARIANCES OF 2.4 FT. OF THE MINIMUM 10 FT. SETBACK AND FAR REQUIREMENT OF SEC. 6-1-3, AND ALSO SEEKING TO WAIVE 11 (ELEVEN) OF THE REQUIRED 36 ON-SITE PARKING SPACES UNDER SEC. 11-1-2, AND ALSO WAIVING ALL OF THE INTERIOR LANDSCAPING REQUIRED UNDER SEC. 11-1-13 TO PERMIT THE CONSTRUCTION OF A 3-STORY MIXED USE RESIDENTIAL AND RETAIL BUILDING IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

1. THE DEVELOPMENT OF SUBJECT PREMISES SHALL BE IN STRICT

ACCORD WITH THE REVISED PLANS, (SPECIFICALLY THE WALTER STREET ENTRANCE AND LOBBY), SUBMITTED TO AND APPROVED BY THE BOARD.

- 2. TWO WINDOWS SHALL BE INSTALLED IN EACH OF THE PROPOSED NORTH AND SOUTH STAIRWELLS.**
- 3. THE EXTERIOR OF THE FIRST FLOOR SHALL BE “WRAPPED” IN BRICK AS INDICATED ON THE REVISED PLAN.**
- 4. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT AS APPROVED WILL BE A MUCH NEEDED IMPROVEMENT TO THE NEIGHBORHOOD.**
- 2. PROVIDES NEW RESIDENTIAL UNITS AND RETAIL SPACE AND IS IN KEEPING WITH THE MASTER PLAN OF CONSERVATION AND DEVELOPMENT.**

**** MS. SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

T-2 (#1) RE: 146 ANDOVER STREET – Bridgeport Biodiesel - Seeking variances of the front setback requirement, height requirement, and landscaping requirements under Sec. 7-1-3 to permit the installation of 12 (twelve) storage containers ranging from 15’ to 38’ in height along the street frontage of the existing industrial building in a I-L zone.

**** MS GRACE MOVED TO APPROVE APPLICATION T-2 (#1) RE: 146 ANDOVER STREET – BRIDGEPORT BIODIESEL - SEEKING VARIANCES OF THE FRONT SETBACK REQUIREMENT, HEIGHT REQUIREMENT, AND LANDSCAPING REQUIREMENTS UNDER SEC. 7-1-3 TO PERMIT THE INSTALLATION OF 12 (TWELVE) STORAGE CONTAINERS RANGING FROM 15’ TO 38’ IN HEIGHT ALONG THE STREET FRONTAGE OF THE EXISTING INDUSTRIAL BUILDING IN A I-L ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE REVISED PLAN SUBMITTED TO AND SUPPORTED BY THE BOARD.**
- 2. THE PROPOSED AND APPROVED 60 TREES, A MINIMUM OF 14 FEET**

IN HEIGHT, SHALL BE PROPERLY MAINTAINED AND REPLACED IF NECESSARY TO ENSURE SCREENING OF THE STORAGE TANKS FOR THE LIFE OF THIS PROJECT.

- 3. THE PORT-O-LET AND ANY OTHER ADVERTISING RELATED TO THE “ROYAL FLUSH” BUSINESS SHALL BE REMOVED. ANY FUTURE ROOF TOP ADVERTISING SHALL ONLY BE ALLOWED BY A SPECIAL PERMIT ISSUED BY THE PLANNING AND ZONING COMMISSION.**

FOR THE FOLLOWING REASONS:

- 1. FACILITATES THE GROWTH OF AN EXISTING ECO-FRIENDLY BUSINESS.**
- 2. THE REDESIGNED PROJECT WILL HAVE NO NEGATIVE IMPACT ON THE IMMEDIATE AREA.**
- 3. THE APPLICANT SHALL SUBMIT PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

ADOPTION OF MINUTES.

**** MS. GRACE MOVED TO APPROVE THE MINUTES OF JANUARY 14, 2014 AS SUBMITTED.**

**** MR. CAROLAN SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT.

**** MR. CAROLAN MOVED TO ADJOURN.**

**** MS. GRACE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

City of Bridgeport
Zoning Board of Appeals
Regular Meeting
March 11, 2014