

**CITY OF BRIDGEPORT  
ZONING BOARD OF APPEALS PUBLIC HEARING  
MAY 12, 2015**

**ATTENDANCE:** Linda Grace, Chair; Kelly Perez; John J. Carolan; Robin Shepard;  
Maria Alves

**STAFF:** Dennis Buckley; Paul Boucher; Attorney Ed Schmidt

**CALL TO ORDER**

The Chair called the meeting to order at 6:10 PM. A quorum was present. She then introduced the Commissioners and staff members seated. She reviewed the procedures to those present.

Dennis Buckley announced that Atty. Raymond Gamin (Item 7- CBD LLC)- requests a deferral to the June meeting. Chair announced the item would not be heard this evening.

**DEFERRED ITEMS**

**D 1 (#8) 1944 – 1954 Boston Ave. – Petition of William Marshall/City of Life – Seeking a variance of the minimum number of off-street parking spaces as required under Sec. 11-1-2 to permit the establishment of a house of worship in the existing commercial office building in an OR zone.**

Mr. William Marshall came forward and identified himself as the pastor of City of Life Church. Mr. Marshall handed in the appropriate mailings.

Mr. Marshall stated that, as a small congregation, they were seeking the variance due to the fact that their parking is sufficient, and that the bulk of their parishioners walk rather than drive to services. He further stated that several church owned vans are utilized to retrieve parishioners for services. He further asserted that the Sunday services do not adversely affect traffic, nor do they interfere with daycare hours.

Commissioner Grace asked if anything had been changed since their initial application's denial the previous year. Mr. Marshall stated that the utilization of the vans began after the initial denial. Commissioner Grace inquired as to the number of parishioners, and Mr. Marshall stated the number was between 20 and 25. She inquired as to the dates and duration of services, and he

stated that services take place on Sunday from 12 PM to 1:30 PM, as well as Wednesday nights from 7:30 PM to 8:30 PM. She inquired as to the other uses of the building, and Mr. Marshall stated that a daycare is run out of the first floor, a lawyer's office operates on the second floor, and the City of Life Church operates out of the basement. Commissioner Grace inquired about a fence on the property, and Mr. Marshall stated that he intends to make sure there is zoning compliance in terms of the fence. Mr. Marshall stated that, moving forward, their primary concern is complying with the City of Bridgeport's ordinances.

Commissioner Grace asked if there was anyone present who would like to speak in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose the application. Hearing none, Commissioner Grace closed the hearing on 1944-1954 Boston Avenue.

**D-2 (#11) 103 Seaside Ave. – Petition of Brian Walker – Seeking a variance of the minimum side setback requirement under Sec. 5-1-3 to permit the construction of a 2<sup>nd</sup> floor rear dormer addition to the existing single-family dwelling in an R-A zone.**

Mr. Buckley came forward and stated that the blue placard had not been picked up and therefore not posted, thus the item could not be heard at the meeting.

Commissioner Grace announced that the item would not be heard.

**D-3 (#13) 1148 William St. – Petition of 1148 William Navcapman, LLC – Seeking variances of the density requirement of 2,700 sq. ft. of property per residential unit and the minimum landscaping requirements under Sec. 5-1-3 to permit the establishment of four (4) additional residential units in the existing 20-unit apartment house in an R-C zone.**

Attorney Raymond Rizio came forward and identified himself as representative for 1148 William Street. Atty. Rizio stated that they had met with the Office of Planning and Development regarding the property plans and had received some suggested changes that were currently being integrated into the plans. He requested that the presentation be continued to the next meeting to accommodate changes being made.

**D-4 540 Grant St. – Petition of Big Sam's Auto Stereo Installation and More – Seeking a variance under Sec. 11-1-2 by waiving 20 of the required 24 off-street parking spaces to permit the establishment of an automotive audio and decal installation business in half of the existing industrial building in an OR zone.**

Ms. Kamika Cooke and Mr. Ed Richardson came forward and identified themselves as the contractor and architect, respectively. In addition, Mr. Sam Saunders, the owner of Big Sam's

Auto Stereo Installation and More, came forward. Ms. Cooke turned in the appropriate mailings and stated that they were seeking a parking variance.

Commissioner Grace inquired as to the amount of the building utilized by the business. Ms. Cooke stated that the business took up approximately a third of the building, and that it is used as a space for repairs and installation, with the primary garage located up the street at 629 Grant Street. Commissioner Grace inquired as to the nature of the repairs and installation, and Ms. Cooke stated that it is primarily the application of auto decals and stereo installations. Commissioner Grace asked if any customers were present in the repair location, and Ms. Cooke answered in the negative, stating it was only occupied by Mr. Saunders and 2 other employees. Commissioner Grace asked if the employees were there all day, and Mr. Saunders stated that only the two employees occupied the space. He further stated that there was no customer traffic, and that as there was no need to keep vehicles on the street, there was more than enough parking for his employees. Mr. Saunders stated that the business hours of his establishment are 8:30 AM to 5:40 PM, 6 days a week, closing on Sundays and major holidays. Commissioner Grace asked how long his business has been open and asked about the nature of Mr. Saunders' primary mechanic shop. Mr. Saunders stated that his business has been operating for 3 years, and that they sell and repair cars.

Commissioner Grace asked if there was anyone present who would like to speak in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose the application. Hearing none, Commissioner Grace closed the hearing on 540 Grant Street.

### **NEW ITEMS**

#### **#1 540 Grant St. – Petition of Navis Pack and Ship – Seeking a variance under Sec. 11-1-2 by waiving 3 of the 6 required off-street parking spaces to legalize the small packaging and shipping business in half of the existing industrial building in an OR zone.**

Ms. Kamika Cooke came forward and identified herself as the contractor for Item #1. In addition, Mr. Gary Feller and Mr. Donald Townsend came forward and identified themselves as the co-owners of Navis Pack and Ship. Ms. Cooke turned in the appropriate mailings.

Commissioner Grace inquired about the total number of parking spaces, and Mr. Townsend stated there were 6. Commissioner Grace asked how many parking spaces were utilized, and Mr. Townsend stated that they utilized 4. He further stated that the nature of the business involves no foot traffic, and that the general process is to go to the sites, retrieve the goods, prepare them to ship, call in transport and have them picked up and shipped out. Mr. Townsend stated that the

business has been open for 5 years, and that it is a franchise. Commissioner Grace asked if there were any customers in the facility, and Mr. Townsend responded in the negative. Commissioner Grace asked how much of the building they occupied, and asked if there were any additional uses for the space. Mr. Townsend answered that they occupied two-thirds of the building, and that apart from the previously stated tenants (Big Sam's and Navis), there were no other uses.

Commissioner Grace asked if there was anyone present who would like to speak in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose the application. Hearing none, Commissioner Grace closed the hearing on 540 Grant Street.

**#2 1316 Barnum Ave. – Petition of Wade Properties, LLC – Seeking variances of the maximum site coverage and the minimum landscaping requirements under Sec. 8-3-3, and also seeking variances of the minimum parking setback requirement and perimeter landscaping requirement under Sec. 11-1-13 to permit the construction of a 1-story 6,950 sq. ft. addition to the existing industrial building in an MU-LI zone.**

Mr. Doug Wade came forward and identified himself as the co-owner of the property. Additionally, Mr. Chris DeAngelis, professional engineer, came forward. Mr. Wade turned in the appropriate mailings.

Mr. DeAngelis stated that there are 5 existing buildings on site, and that a 6th was removed a year ago. He directed the commission to the application's site plan, where the proposed building is indicated by a red outline. Mr. DeAngelis stated that the plan is to remove two buildings, while adding a 6,950 square foot addition to the existing industrial building. Mr. DeAngelis stated that the intention is to create a warehouse refrigeration building. Mr. DeAngelis stated that this addition will lead to much more efficient operations, including increased employee safety as their designated parking will now be separated from the delivery trucks. He stated that there would be 5% more landscaping, still falling short of the 15% required for the zone, but with the intention to get the percentage up to 10, which seems a reasonable number. Mr. DeAngelis stated that they intend to remove half of the 10 ½ foot wide concrete sidewalk on Barnum Avenue to create a grassy strip in front of the building. Furthermore, they plan to place a 5 foot buffer along the western property line. Mr. DeAngelis stated that any additional space may be utilized to create an office or employee break room in the future.

Commissioner Grace inquired as to the use of the existing buildings, and Mr. DeAngelis answered they are being utilized as an administrative office and warehouse building.

Commissioner Grace asked if there was anyone present who would like to speak in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose the application. Hearing none, Commissioner Grace closed the hearing on 1316 Barnum Avenue.

**#3 3389 Fairfield Ave. – Petition of Rand (Simonetti Industries) – Seeking a use variance under Sec. 6-1-2 and also seeking variances of the required landscaping under Sec. 6-1-3 and the minimum off-street parking space requirement of Sec. 11-1-2 to legalize the manufacturing and warehousing of vegetable based lubricants in the existing commercial mixed-use building in an OR and coastal area.**

Commissioner Grace called the item three times, and no one came forward.

**#6 1308 & 1320 Madison Ave. – Petition of J.I. Real Estate Holding, Inc. – Seeking to waive under Sec. 5-1-3, the residential density requirement of 2,700 sq. ft. of property per residential unit to permit the construction of a 3-story, 10-unit residential building with 17 on-site parking spaces on the ground level in the proposed R-C zone.**

Attorney Raymond Rizio came forward and identified himself as representative for Item 6. Atty. Rizio asked the item be deferred, in the interest of conferring with the housing association in the neighborhood.

**#4 66 Polk St. – Petition of Helmut Reinheimer – Seeking a use variance under Sec. 5-1-2 to legalize the establishment of a contractor’s storage yard for materials and equipment in an R-B zone.**

Mr. Helmut Reinheimer came forward and identified himself as the applicant, as well as his contractor. He turned in the appropriate mailings.

Mr. Reinheimer stated that the current property is a house on 2 lots, with 4 additional lots.

Commissioner Grace asked how long the operation had been on the property, and how much equipment was on the property. Mr. Reinheimer stated that the operation had been there a year, and that the equipment consisted of 2 dump trucks, 1 bobcat, a small asphalt paver and a small trailer. Commissioner Grace asked if Mr. Reinheimer lived in the house, and he answered in the affirmative, specifying since 2001. Commissioner Grace asked where the equipment was prior to this, and Mr. Reinheimer stated that it was beyond Bushwick. Commissioner Grace asked when the vehicles were moved and Commissioner Alves asked if the machines were used to move

materials. Mr. Reinheimer stated that the vehicles left in the morning and returned in the evening, and that there was no movement of material unless it was topsoil. Commissioner Grace asked if, prior to Mr. Reinheimer living on the property, people were permitted to dump things on the property, and he answered this was not exactly the case.

Commissioner Grace asked if there was anyone present who would like to speak in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose the application. Hearing none, Commissioner Grace closed the hearing on 66 Polk Street.

**#5 2925 (aka 2929) Fairfield Ave. – Petition of Center for Children’s Advocacy – Seeking a variance waiving all of the off-street parking requirements under Sec. 11-1-2 to permit the establishment of a 1,000 sq. ft. additional office in a portion of the 1<sup>st</sup> floor of an existing commercial building in an OR zone.**

Mr. Jay Sicklick came forward and identified himself as the Director of the Center for Children’s Advocacy. He turned in the appropriate mailings, as well as photos of the property.

Mr. Sicklick stated that the organization is an advocacy center affiliated with the University of Connecticut Law School, exclusively devoted to child advocacy. Mr. Sicklick stated that they were seeking a variance to rent space in a community center. He stated that their intention is to occupy the space during the week during traditional hours, from 8 AM to 5 PM, with three lawyers working on site, as well as a small support staff with main offices and some conference rooms.

Mr. Buckley came forward and stated that there were some details on the property he wished to make the commission aware of. Mr. Buckley stated that the property had come before the board on previous occasions, formerly being used as a print & copy shop, health spa, and restaurant. He stated that the owner came in the previous year to request 6 offices on the 2nd floor of the building, and the commission approved 4 offices. Mr. Buckley stated that the owner returned with Atty. Rizio to request 2 apartments, and the commission approved 1 apartment, stating that anything else would be over use. He stated that the property owner also owns the pizza restaurant across the street, for which the commission approved eight 1-bedroom apartments above the restaurant, with conditions of approval involving leases, filing land reference, lot combination and off-street parking. Mr. Buckley stated that they currently have no knowledge of the mandatory documents being filed, and that the owner allows tenants at the pizza property to park vehicles behind the building where others are seeking parking variances. He further stated that inspector visited the property the previous week and found it was not compliant with the conditions of approval previously set. Mr. Buckley stated, in his opinion, that the properties need to be in compliance before any more variances are granted.

Mr. David Roffer, the property owner, came forward to address Mr. Buckley's concerns. He stated that in respect to the lot, the land records were filed by an attorney from across the street over 8 months ago. He stated that in respect to the site plan, he spoke with an engineer that morning and was happy to change it in order to be in compliance. In regards to the upstairs tenants, Mr. Roffer stated that he currently has a single tenant, as opposed to the approved five.

Commissioner Grace asked if there were parking spots available for tenants across the street, as per the conditions. Mr. Roffer stated that there are 6 spots, and that the tenants across the street take advantage and park illegally. He further stated that he spoke with the tenants about the illegality and informed them that they were affecting his ability to comply with zoning requirements.

Commissioner Grace stated that, due to concern over compliance issues, aspects of the existing properties needed to be clarified and verified prior to issuing more variances. Mr. Buckley stated that one of these aspects would need to be the zoning compliance. Mr. Roffer stated that he thought he had already received one, as he did not believe one could get a tenant issuance without zoning compliance. Mr. Buckley explained that this was not the case. Mr. Roffer stated his willingness to do whatever necessary to rectify the situation.

Mr. Buckley suggested a continuance, and Mr. Sicklick made the request per his suggestion.

**#7 25 & 33 West Ave. & 384 Railroad Ave. – Petition of CDB, LLC – Seeking a use variance of Sec. 10-2 and all of the landscaping requirement of Sec. 10-3 to permit the establishment of a firewood processing business in an NCVD zone.**

As previously indicated, the item was announced to be deferred per the request of Atty. Gamin.

**#8 479 Helen St. – Petition of City of Bridgeport Public Facilities – Seeking to waive the height and location requirements for accessory structures of Table 4a, and also seeking a variance of the maximum fence height requirement under Sec. 11-8-3 to permit the installation of dug-outs, bleachers, scoreboards and fencing at an existing athletic field in an R-C zone.**

Mr. Joe Tiago came forward and identified himself as the project manager for Item #8. Mr. Tiago stated that no mailings were necessary as the two adjacent properties to 479 Helen Street are city-owned.

Mr. Tiago stated that the city has partnered with the Calverton Foundation in order to set up several ball fields throughout the city, and that they are seeking a waiver for the height and location requirements, as well as maximum fence height requirements. Mr. Tiago stated that the foundation helps fund fields, donates a great deal of equipment and helps train the children utilizing the field in the form of batting and/or pitching coaches.

Commissioner Grace asked if it was one field, and Mr. Tiago stated that it was in fact two fields on the same property, serving as two baseball fields in the summer, and one football field in the fall.

Commissioner Grace asked if there was anyone present who would like to speak in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose the application. Hearing none, Commissioner Grace closed the hearing on 479 Helen Street.

**#9 114 Orchard St. – Petition of Angela Smillie – Seeking to waive all of the required off-street parking spaces as required under Sec. 11-1-2 to permit the establishment of a hair and nail salon on the 1<sup>st</sup> floor of the existing 2-family dwelling in an R-C zone.**

Ms. Angela Smillie came forward and identified herself as the applicant. It was discovered that Ms. Smillie did not have the appropriate mailings, as she was unaware they were necessary for the proceedings. Commissioner Grace stated that the item would be rescheduled and heard next month, once the letters were mailed. Mr. Boucher stated that he would confer with Ms. Smillie on the requirements.

The public hearing closed 7:15 PM.

**APPROVAL OF MINUTES**

**\*\*COMMISSIONER SHEPARD MOVED TO APPROVE THE MEETING MINUTES OF APRIL 14TH WITH THE FOLLOWING CORRECTIONS:**

- 1. PG. 13- THE WORD ‘FLANKING’ IS CHANGED TO ‘PARKING’.**
- 2. PG. 13- THE NAME ‘HARDY HIGH SCHOOL’ IS CHANGED TO ‘HARDING HIGH SCHOOL.**

**\*\*COMMISSIONER PEREZ SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY.**

**\*\*COMMISSIONER PEREZ MOVED TO APPROVE THE MEETING MINUTES OF APRIL 15TH WITH THE FOLLOWING CORRECTIONS:**

- 1. PG. 11- REPLACE 'COMMISSIONER GRACE SECONDED' WITH 'COMMISSIONER COLON SECONDED'.**

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

**\*\*MOTION PASSED UNANIMOUSLY.**

### **DECISION SESSION**

**ITEM D-1 (#8) RE: 1944-1954 BOSTON AVENUE- SEEKING A VARIANCE OF THE MINIMUM NUMBER OF OFF-STREET PARKING SPACE AS REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A HOUSE OF WORSHIP IN THE EXISTING COMMERCIAL OFFICE BUILDING IN AN OR ZONE.**

**\*\*COMMISSIONER PEREZ MOVED TO DENY AGENDA ITEM D-1 (#8) RE: 1944-1954 BOSTON AVENUE- SEEKING A VARIANCE OF THE MINIMUM NUMBER OF OFF-STREET PARKING SPACE AS REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A HOUSE OF WORSHIP IN THE EXISTING COMMERCIAL OFFICE BUILDING IN AN OR ZONE FOR THE FOLLOWING REASON:**

- 1. THE PETITIONER FAILED TO ESTABLISH ANY REASONS, OR CAST NEW LIGHT ON ANY HARDSHIP ASSOCIATED WITH THIS APPLICATION WHICH WOULD WARRANT A CHANGE IN THE DECISION OF SEPTEMBER 9, 2014 ON WHICH THIS PETITION WAS PREVIOUSLY DENIED.**

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

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM D-2 (#11) RE: 103 SEASIDE AVENUE- SEEKING A VARIANCE OF THE MINIMUM SIDE SETBACK REQUIREMENT UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2ND FLOOR REAR DORMER ADDITION TO THE EXISTING SINGLE-FAMILY DWELLING IN AN R-A ZONE.**

**\*\*COMMISSIONER MOVED TO DENY AGENDA ITEM D-2 (#11) RE: 103 SEASIDE AVENUE- SEEKING A VARIANCE OF THE MINIMUM SIDE SETBACK REQUIREMENT UNDER SEC. 5-1-3 TO PERMIT THE CONSTRUCTION OF A 2ND FLOOR REAR DORMER ADDITION TO THE EXISTING SINGLE-FAMILY DWELLING IN AN R-A ZONE FOR THE FOLLOWING REASON:**

**1. THE PETITIONER FAILED TO ATTEND THE PUBLIC HEARING.**

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

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM D-1 (#13) RE: 1148 WILLIAM STREET- SEEKING VARIANCES OF THE DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT AND THE MINIMUM LANDSCAPING REQUIREMENT OF SEC. 5-1-3 TO PERMIT THE ESTABLISHMENT OF FOUR (4) ADDITIONAL RESIDENTIAL UNITS IN THE EXISTING 20-UNIT APARTMENT HOUSE IN AN R-C ZONE.**

**\*\*COMMISSIONER CAROLAN MOVED TO CONTINUE AGENDA ITEM D-1 (#13) RE: 1148 WILLIAM STREET- SEEKING VARIANCES OF THE DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT AND THE MINIMUM LANDSCAPING REQUIREMENT OF SEC. 5-1-3 TO PERMIT THE ESTABLISHMENT OF FOUR (4) ADDITIONAL RESIDENTIAL UNITS IN THE EXISTING 20-UNIT APARTMENT HOUSE IN AN R-C ZONE TO TUESDAY, JUNE 9, 2015.**

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

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM D-4 RE: 540 GRANT STREET- SEEKING A VARIANCE UNDER SEC. 11-1-2 BY WAIVING 20 OF THE REQUIRED 24 OFF-STREET PARKING SPACES TO PERMIT THE ESTABLISHMENT OF AN AUTOMOTIVE AUDIO AND DECAL INSTALLATION BUSINESS IN HALF OF THE EXISTING INDUSTRIAL BUILDING IN AN OR ZONE.**

**\*\*COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM D-4 RE: 540 GRANT STREET- SEEKING A VARIANCE UNDER SEC. 11-1-2 BY WAIVING 20 OF THE REQUIRED 24 OFF-STREET PARKING SPACES TO PERMIT THE ESTABLISHMENT OF AN AUTOMOTIVE AUDIO AND DECAL INSTALLATION BUSINESS IN HALF OF THE EXISTING INDUSTRIAL BUILDING IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. HOURS OF OPERATION ARE LIMITED FROM 8:30 AM TO 6 PM, MONDAY THRU SATURDAY.**

- 2. VEHICLES BEING SERVICED ARE BROUGHT TO AND FROM THIS FACILITY BY STAFF MEMBERS ONLY.**
- 3. RETAIL OR WHOLESALE CUSTOMERS SHALL NOT VISIT THIS FACILITY AT ANYTIME, FOR ANY REASON.**
- 4. ALL ACTIVITY RELATING TO THE PROPOSED USE SHALL BE CONDUCTED INSIDE THE BUILDING.**
- 5. THE EXTERIOR OF THE BUILDING AND GROUNDS SHALL BE PROPERLY CLEANED AND MAINTAINED. ANY VEHICLE AND EQUIPMENT ON-SITE SHALL BE REMOVED.**
- 6. THE REFUSE CONTAINER SHALL BE SCREENED WITH A 6' HIGH PRIVACY FENCE WITH A LOCKABLE GATE OPENING.**

**FOR THE FOLLOWING REASONS:**

- 1. THE BUILDING WAS DESIGNED AND ARRANGED FOR AN INDUSTRIAL TYPE USE.**
- 2. THE PROPOSED BUSINESS WILL MAKE USE OF A VACANT BUILDING AND CLEAN UP AN EYESORE IN THE AREA.**
- 3. THE PROPOSED USE WILL PROVIDE A SERVICE TO CITY RESIDENTS.**
- 4. THE ACTIVITY RELATED WITH THE PROPOSED USE WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.**
- 5. AS ONLY STAFF MEMBERS UTILIZE THE PARKING AREA, A VARIANCE OF THE PARKING REQUIREMENT IS JUSTIFIED.**

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

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM #1 RE: 540 GRANT STREET- SEEKING A VARIANCE UNDER SEC. 11-1-2 BY WAIVING 3 OF THE 6 REQUIRED OFF-STREET PARKING SPACES TO LEGALIZE THE SMALL PACKAGING AND SHIPPING BUSINESS IN HALF OF THE EXISTING INDUSTRIAL BUILDING IN AN OR ZONE.**

**\*\*COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM #1 RE: 540 GRANT STREET- SEEKING A VARIANCE UNDER SEC. 11-1-2 BY WAIVING 3 OF THE 6 REQUIRED OFF-STREET PARKING SPACES TO LEGALIZE THE SMALL PACKAGING AND SHIPPING BUSINESS IN HALF OF THE EXISTING INDUSTRIAL BUILDING IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. HOURS OF OPERATION ARE LIMITED FROM 8:30 AM TO 6 PM, MONDAY THRU SATURDAY.**
- 2. ALL PARCELS TO BE SHIPPED ARE TO BE BROUGHT TO THE FACILITY BY STAFF MEMBERS ONLY.**
- 3. CUSTOMERS OF THE PROPOSED BUSINESS SHALL NOT VISIT THIS FACILITY AT ANY TIME, FOR ANY REASON.**
- 4. ALL ACTIVITY RELATING TO THE PROPOSED USE SHALL BE CONDUCTED INSIDE THE BUILDING.**
- 5. THE EXTERIOR OF THE BUILDING AND GROUNDS SHALL BE PROPERLY CLEANED AND MAINTAINED. ANY VEHICLE AND EQUIPMENT ON-SITE SHALL BE REMOVED.**
- 6. THE REFUSE CONTAINER SHALL BE SCREENED WITH A 6' HIGH PRIVACY FENCE WITH A LOCKABLE GATE OPENING.**

**FOR THE FOLLOWING REASONS:**

- 1. THE BUILDING WAS DESIGNED AND ARRANGED FOR AN INDUSTRIAL TYPE USE.**
- 2. THE PROPOSED BUSINESS WILL MAKE USE OF A VACANT BUILDING AND CLEAN UP AN EYESORE IN THE AREA.**
- 3. THE PROPOSED USE WILL PROVIDE A SERVICE TO CITY RESIDENTS.**
- 4. THE ACTIVITY RELATED WITH THE PROPOSED USE WILL HAVE NO ADVERSE IMPACT ON THE IMMEDIATE AREA.**
- 5. AS ONLY STAFF MEMBERS UTILIZE THE PARKING AREA, A VARIANCE OF THE PARKING REQUIREMENT IS JUSTIFIED.**

**\*\*COMMISSIONER PEREZ SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM #2 RE: 1316 BARNUM AVENUE- SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND THE MINIMUM LANDSCAPING REQUIREMENTS UNDER SEC. 8-3-3, AND ALSO SEEKING VARIANCES OF THE MINIMUM PARKING SETBACK REQUIREMENT AND PERIMETER LANDSCAPING REQUIREMENT UNDER SEC. 11-1-13 TO PERMIT THE CONSTRUCTION OF A 1-STORY 6,950 SQ. FT. ADDITION TO THE EXISTING INDUSTRIAL BUILDING IN AN MU-LI ZONE.**

**\*\*COMMISSIONER CAROLAN MOVED TO GRANT AGENDA ITEM #2 RE: 1316 BARNUM AVENUE- SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND THE MINIMUM LANDSCAPING REQUIREMENTS UNDER SEC. 8-3-3, AND**

**ALSO SEEKING VARIANCES OF THE MINIMUM PARKING SETBACK REQUIREMENT AND PERIMETER LANDSCAPING REQUIREMENT UNDER SEC. 11-1-13 TO PERMIT THE CONSTRUCTION OF A 1-STORY 6,950 SQ. FT. ADDITION TO THE EXISTING INDUSTRIAL BUILDING IN AN MU-LI ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE REDEVELOPMENT OF THIS PARCEL 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.**

**FOR THE FOLLOWING REASONS:**

- 1. THE NEW FACILITY WILL PROMOTE THE EFFICIENCY OF AN EXISTING BUSINESS.**
- 2. THE SHAPE OF THE PROPERTY AND LOCATION OF THE BUILDINGS IS UNIQUE AND REDEVELOPMENT IS DESIGNED TO MINIMIZE THE NEED FOR NUMEROUS VARIANCES.**
- 3. THE LANDSCAPING WILL BE INCREASED BRINGING IT CLOSER TO THE ZONING REQUIREMENTS.**
- 4. ASPHALT BEING REMOVED AND REPLACED WITH CONCRETE AT THE FRONT OF THE SUBJECT SITE WILL BE AN IMPROVEMENT IN APPEARANCE.**

**\*\*COMMISSIONER ALVES SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY**

**ITEM #3 RE: 3389 FAIRFIELD AVENUE- SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING VARIANCES OF THE REQUIRED LANDSCAPING UNDER SEC. 6-1-3 AND THE MINIMUM OFF-STREET PARKING SPACE REQUIREMENT OF SEC. 11-1-2 TO LEGALIZE THE MANUFACTURING AND WAREHOUSING OF VEGETABLE BASED LUBRICANTS IN THE EXISTING COMMERCIAL MIXED-USE BUILDING IN AN OR AND COASTAL AREA.**

**\*\*COMMISSIONER CAROLAN MOVE TO DENY AGENDA ITEM #3 RE: 3389 FAIRFIELD AVENUE- SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING VARIANCES OF THE REQUIRED LANDSCAPING UNDER SEC. 6-1-3 AND THE MINIMUM OFF-STREET PARKING SPACE REQUIREMENT OF SEC. 11-**

**1-2 TO LEGALIZE THE MANUFACTURING AND WAREHOUSING OF VEGETABLE BASED LUBRICANTS IN THE EXISTING COMMERCIAL MIXED-USE BUILDING IN AN OR AND COASTAL AREA WITHOUT PREJUDICE FOR THE FOLLOWING REASON:**

- 1. THE PETITIONER FAILED TO ATTEND THE PUBLIC HEARING.**

**\*\*COMMISSIONER PEREZ SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM #4 RE: 66 POLK STREET- SEEKING A USE VARIANCE UNDER SEC. 5-1-2 TO LEGALIZE THE ESTABLISHMENT OF A CONTRACTOR'S STORAGE YARD FOR MATERIALS AND EQUIPMENT IN AN R-B ZONE.**

**\*\*COMMISSIONER ALVES MOVED TO DENY AGENDA ITEM #4 RE: 66 POLK STREET- SEEKING A USE VARIANCE UNDER SEC. 5-1-2 TO LEGALIZE THE ESTABLISHMENT OF A CONTRACTOR'S STORAGE YARD FOR MATERIALS AND EQUIPMENT IN AN R-B ZONE FOR THE FOLLOWING REASONS:**

- 1. THE SUBJECT SITE IS IN A RESIDENTIAL ZONE.**
- 2. THE PETITIONER FAILED TO PRESENT AN EXCEPTIONAL DIFFICULTY OR UNUSUAL HARDSHIP ASSOCIATED WITH CONDITIONS DIRECTLY AFFECTING THIS PROPERTY.**
- 3. ACCESS TO THE SUBJECT SITE IS LIMITED AND EQUIPMENT MOVING TO AND FROM THIS PROPERTY WOULD BE A DETRIMENT TO PUBLIC SAFETY.**

**\*\*COMMISSIONER PEREZ SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM #5 RE: 2925 (AKA 2929) FAIRFIELD AVENUE- SEEKING A VARIANCE WAIVING ALL OF THE OFF-STREET PARKING REQUIREMENTS UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A 1,000 SQ. FT. ADDITIONAL OFFICE IN A PORTION OF THE 1ST FLOOR OF AN EXISTING COMMERCIAL BUILDING IN AN OR ZONE.**

**\*\*COMMISSIONER SHEPARD MOVED TO CONTINUE AGENDA ITEM #5 RE: 2925 (AKA 2929) FAIRFIELD AVENUE- SEEKING A VARIANCE WAIVING ALL OF THE**

**OFF-STREET PARKING REQUIREMENTS UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A 1,000 SQ. FT. ADDITIONAL OFFICE IN A PORTION OF THE 1ST FLOOR OF AN EXISTING COMMERCIAL BUILDING IN AN OR ZONE TO TUESDAY, JUNE 9, 2015.**

**\*\*COMMISSIONER ALVES SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM #6 RE: 1308 & 1320 MADISON AVENUE- SEEKING TO WAIVE UNDER SEC. 5-1-3, THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT TO PERMIT THE CONSTRUCTION OF A 3-STORY, 10-UNIT RESIDENTIAL BUILDING WITH 17 ON-SITE PARKING SPACES ON THE GROUND LEVEL IN THE PROPOSED R-C ZONE.**

**\*\*COMMISSIONER CAROLAN MOVED TO DEFER AGENDA ITEM #6 RE: 1308 & 1320 MADISON AVENUE- SEEKING TO WAIVE UNDER SEC. 5-1-3, THE RESIDENTIAL DENSITY REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT TO PERMIT THE CONSTRUCTION OF A 3-STORY, 10-UNIT RESIDENTIAL BUILDING WITH 17 ON-SITE PARKING SPACES ON THE GROUND LEVEL IN THE PROPOSED R-C ZONE TO TUESDAY, JUNE 9, 2015.**

**\*\*COMMISSIONER PEREZ SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM #7 RE: 25 & 33 WEST AVENUE & 384 RAILROAD AVENUE- SEEKING A USE VARIANCE OF SEC. 10-2 AND ALL OF THE LANDSCAPING REQUIREMENT OF SEC. 10-3 TO PERMIT THE ESTABLISHMENT OF A FIREWOOD PROCESSING BUSINESS IN AN NCVD ZONE.**

**\*\*COMMISSIONER ALVES MOVED TO DEFER AGENDA ITEM #7 RE: 25 & 33 WEST AVENUE & 384 RAILROAD AVENUE- SEEKING A USE VARIANCE OF SEC. 10-2 AND ALL OF THE LANDSCAPING REQUIREMENT OF SEC. 10-3 TO PERMIT THE ESTABLISHMENT OF A FIREWOOD PROCESSING BUSINESS IN AN NCVD ZONE TO TUESDAY, JUNE 9, 2015.**

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

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM #8 RE: 479 HELEN STREET- SEEKING TO WAIVE THE HEIGHT AND LOCATION REQUIREMENTS FOR ACCESSORY STRUCTURES OF TABLE 4A, AND ALSO SEEKING A VARIANCE OF THE MAXIMUM FENCE HEIGHT**

**REQUIREMENT UNDER SEC. 11-8-3 TO PERMIT THE INSTALLATION OF DUG-OUTS, BLEACHERS, SCORE BOARDS, AND FENCING AT AN EXISTING ATHLETIC FIELD IN AN R-C ZONE.**

**\*\*COMMISSIONER SHEPARD MOVED TO GRANT AGENDA ITEM #8 RE: 479 HELEN STREET- SEEKING TO WAIVE THE HEIGHT AND LOCATION REQUIREMENTS FOR ACCESSORY STRUCTURES OF TABLE 4A, AND ALSO SEEKING A VARIANCE OF THE MAXIMUM FENCE HEIGHT REQUIREMENT UNDER SEC. 11-8-3 TO PERMIT THE INSTALLATION OF DUG-OUTS, BLEACHERS, SCOREBOARDS, AND FENCING AT AN EXISTING ATHLETIC FIELD IN AN R-C ZONE WITH THE FOLLOWING CONDITION:**

- 1. THE DEVELOPMENT OF THE MULTI-PURPOSE ATHLETIC FIELD SHALL BE IN STRICT ACCORD WITH THE PLAN SUBMITTED TO AND APPROVED BY THE BOARD.**

**FOR THE FOLLOWING REASONS:**

- 1. THE SCHOOL AND FIELD ARE LOCATED IN A RESIDENTIAL AREA JUSTIFYING THE NEED FOR SETBACK VARIANCES.**
- 2. DUGOUTS, SCOREBOARDS, AND FENCES ARE NEEDED ACCESSORY STRUCTURES AND IT WOULD BE UNREALISTIC TO COMPLY WITH THE ZONE DEVELOPMENT STANDARDS REGARDING THIS LOCATION.**

**\*\*COMMISSIONER ALVES SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY.**

**ITEM #9 RE: 114 ORCHARD STREET- SEEKING TO WAIVE ALL OF THE REQUIRED OFF-STREET PARKING SPACES AS REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A HAIR AND NAIL SALON ON THE 1ST FLOOR OF THE EXISTING 2-FAMILY DWELLING IN AN R-C ZONE.**

**\*\*COMMISSIONER CAROLAN MOVED TO DEFER AGENDA ITEM #9 RE: 114 ORCHARD STREET- SEEKING TO WAIVE ALL OF THE REQUIRED OFF-STREET PARKING SPACES AS REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A HAIR AND NAIL SALON ON THE 1ST FLOOR OF THE EXISTING 2-FAMILY DWELLING IN AN R-C ZONE.**

**\*\*COMMISSIONER PEREZ SECONDED THE MOTION.**

**\*\*MOTION PASSED UNANIMOUSLY.**

**ADJOURNMENT**

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

The meeting adjourned at 7:45 PM.

Respectfully submitted,

Catherine Ramos  
Telesco Secretarial Services