



PLANNING AND ZONING COMMISSION
JUNE 24, 2013
MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace, Room
210
Bridgeport, CT 06604
(203) 576-7217 Phone
(203) 576-7213 Fax

ATTENDANCE: Mel Riley, Acting Chair; Barbara Freddino, Acting Secretary;
Robert Morton, Robert Filotei, Joe Tiago, Reggie Walker

STAFF: Dennis Buckley, Zoning Officer

CALL TO ORDER.

Commissioner Riley called the meeting to order at 6:51 p.m. A quorum was present. He then announced the Commissioners who were seated at the meeting. He cautioned everyone that it would require five positive votes for an application to be approved. Any zone changes would require all six Commissioners to vote approval.

(13-46) RE: 35, 45, 55, 36, 48 DOWN STREET - Petition of Antonio Teixeira & Guy DeMaio – Seeking a re-subdivision and re-configuration of 6 parcels of property and a site plan review for development in an R-A zone.

A request was made to defer the hearing. This was granted.

(13-38) 8-24 REPORT – Petition of the City of Bridgeport Office of Planning and Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the acquisition of two (2) commercial lots in an OR-G zone.

Mr. William Coleman from OPED came forward and displayed a site plan showing the location of the parcel. He reviewed the goal of the project, which was to assemble a city block location for development. He explained that the Board of Education was interested in one of the buildings on the block because of its proximity to Dunbar School.

Commissioner Freddino asked about the parcels that needed remediation. Mr. Coleman reviewed the details and said that the City was working on this.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Riley closed the public hearing on the Petition of the City of Bridgeport Office of Planning and Economic Development for an 8-24 request.

C-2 (13-18) RE: 94 BOSTON AVENUE – Petition of Wakefern Foods Corporation (PriceRite) - Seeking a coastal site plan review of the proposed loading dock addition to the existing grocery store in an OR-G zone and coastal area.

The attorney for Wakefern Foods requested a continuance and waived the 65 day rule. This was agreeable to all.

C-3 (13-23) RE: 10 BOSTON AVENUE – Petition of 10 Boston Avenue, LLC d/b/a BMW of Bridgeport - Seeking a coastal site plan review for an approval of location for a new automobile sales and service facility in an I-L zone and coastal area.

Commissioner Freddino called the application. There was no one present to discuss the application.

C-4 (13-36) 350 DEKALB AVENUE - Petition of Michael Cortina - Seeking a site plan review and a coastal site plan review to permit the construction of a 1-story 40' x 50' warehouse building in an I-L zone and coastal area.

The attorney representing the applicant came forward and requested the case be continued. She also waived the 65 day rule.

(13-37) RE: 2101 COMMERCE DRIVE – Petition of Self Storage Commerce Fairfield, LLC - Seeking a subdivision of an existing 65,555 sq. ft. parcel of land into a 34,554 sq. ft. lot and a 30,701 sq. ft. lot in an I-L zone and coastal area.

Atty. Rizio came forward and stated he was the representative for applicant. He turned in the mailings to Mr. Buckley. He also distributed a document to the Commissioners. The subdivision required a five foot landscaping buffer and the ZBA gave a waiver for the landscaping. Having the landscape buffer would also require two curb cuts.

Commissioner Freddino asked if this was the former Connecticut Limo site. Atty. Rizio said that it was. A brief description followed about the location of the buildings.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Riley closed the public hearing on 2010 Commerce Drive.

(13-40) RE: 53 – 55 BRONX AVENUE – Petition of Virginia Aguilar - Seeking a site plan review to legalize the establishment of a 3-family dwelling in an R-A zone.

Ms. Louisa Aguilar came forward and said that she was present to represent her mother, Virginia Aguilar. Ms. Aguilar said that her mother had purchased the residence in 2000 and it was a three

family. She said that the Fire Marshal had done an inspection and had approved the residence. Later, Mrs. Aguilar had discovered that the house was not a three family.

Commissioner Freddino said that originally, it was a single family residence, then converted into a two family illegally and later, illegally converted into a three family. Mrs. Aguilar has been paying taxes on a three family. The residence is surrounded by two and three family residences.

Commissioner Freddino asked if a title search had been done when the parcel was purchased. Ms. Aguilar said that the lawyer had told her mother everything was in order.

Commissioner Freddino asked if the wet fire suppression system had been installed. Ms. Aguilar said that there were two options for fire suppression, and they chose the other type of system.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Riley closed the public hearing on 53-33 Bronx Avenue.

C-3 (13-23) RE: 10 BOSTON AVENUE – Petition of 10 Boston Avenue, LLC d/b/a BMW of Bridgeport - Seeking a coastal site plan review for an approval of location for a new automobile sales and service facility in an I-L zone and coastal area.

Mr. Buckley said that he had received a letter withdrawing this application.

(13-42) RE: 799 SYLVAN AVENUE – Petition of Joseph Toto/Parkview Commons, LLC - Seeking a change of zone from an R-A to an R-C zone, and also seeking a special permit and a site plan review to permit the construction of a 3-unit townhouse style building.

Ms. DaSilva and Mr. Toto came forward and read a statement that explained that the Design Review Coordinator had not sent their report until 10 days before the night of the hearing. She then requested that the application be deferred until the next month.

(13-43) RE: 800, 810 SYLVAN AVENUE & 123 PARKVIEW AVENUE – – Petition of Joseph Toto/Parkview Commons, LLC - Seeking a change of zone from an R-A to an R-C zone, and also seeking a special permit and site plan review to permit the construction of a 9-unit townhouse style building.

Ms. DaSilva and Mr. Toto came forward and read a statement that explained that the Design Review Coordinator had not sent their report until 10 days before the night of the hearing. She then requested that the application be deferred until the next month.

(13-44) RE: 186 NORTH AVENUE – Petition of Hussein Berry - Seeking a special permit and a site plan review to establish a retail fast food take-out business in a former used car dealership facility in an I-L zone.

Atty. Raymond Rizio came forward, greeted the Commissioners and stated that he was representing the applicant. Commissioner Riley asked if there was a Little Caesar's in Bridgeport already. Atty. Rizio said that there was one on Stratford Avenue.

Atty. Rizio said that Little Caesar's had no seating, and therefore was actually a bakery. It will be take out only and they are the pre-eminent take out vendor in the nation. There are no fountain drinks. There are "hot and ready" cheese pizzas, pepperoni pizzas and a number of other hot and ready items. All other pizzas are "call in" where the pizzas are prepared to order. The franchise has it stated in their contract that they have no seating.

Atty. Rizio said that the parcel had been a pre-existing, non-conforming parcel. The building already is on the lot. He said that Mr. Guerra, the Landscape Design coordinator, wants the building to interact more with the neighborhood. That would require demolishing the building. Once that happens, there would be a loss of parking due to setback requirements.

Atty. Rizio then distributed copies of photographs of the site. He pointed out that the parcel is surrounded with asphalt. Any landscaping will have to be low lying because of the sight lines. The State took a portion of the property to install sidewalks.

There are only three employees on site and there are 8 parking spaces. Atty. Rizio said that the parcel was an upgrade. He added that this was a permitted use on the site.

Several Commissioners expressed concerns about the traffic flow. Atty. Rizio pointed out that the entrances were already in existence. It was suggested that if the entrance was in on North and exit was on Glenwood Road. This would reduce the number of parking spaces. Discussion followed about the details of the traffic flow.

Atty. Rizio said that they would agree to add an entrance and exit on Glenwood Road and go back to the ZBA for a variance. The parking will be 6 spaces and the applicant agree to have a right turn only on North Avenue with a barrier to prevent left hand turn.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Riley closed the public hearing on 186 North Avenue.

(13-45) RE: 1830 BARNUM AVENUE – Petition of Alexandria Ruffin - Seeking a special permit and a site plan review to permit the establishment of a jazz club with a beer/wine café license in the existing mixed use commercial building in an OR zone.

Atty. Leo Rodriquez came forward and said that he was representing the applicant, Ms. Ruffin. He turned in the mailings. Atty. Rodriquez displayed the existing floor plan for both the first and second floors. The building is a very long, but there is a firewall separating the two buildings. On the second floor, there is a stage with a service bar. The building has been a number of different businesses.

Commissioner Freddino asked about how the downstairs area would be laid out. Atty. Rodriquez said that this would be reviewed. He added that this building was under 5,000 sq. ft and the A-2 assembly, which is to code. He added that the building would be to code. Commissioner Freddino said that she would not vote for approval of a jazz club that did not have a sprinkler system.

Ms. Ruffin came forward and introduced herself. She then reviewed the hours with the Commissioners.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Riley closed the public hearing on 1830 Barnum Avenue.

(13-48) RE: 365 SEAVIEW AVENUE – Petition of John Szyszka - 365 SEAVIEW AVENUE – Seeking a special permit and a site plan review and a coastal site plan review to establish a 36 seat outdoor seasonal dining facility with beer & wine table service in an I-L zone and coastal area.

Atty. Rodriquez came forward and introduced himself. This application had been presented to the zoning board of appeals and received an approval for a variance. Atty. Rodriquez then turned in the green mailing cards.

Ms. Freddino then read the following statement dated June 19, 2013
6from John Gaucher into the record:

Dennis,

We have reviewed the above-referenced proposal for consistency with Connecticut Coastal Management Act policies and offer the following comments for the Planning & Zoning Commissions consideration.

I inspected the site on June 18, 2013 and was able to speak with the property owner. The proposal would add seating to a portion of an existing large deck area that connects to a long floating dock that supports the marina use of the property as part of a plan to add a summer outdoor grill use to the site. Other improvements to the site include adding parking, a grilling area, bathrooms, and public access signage at the road and at the entrance to the deck. The applicant has obtained a Certificate of Permission (COP) from this Office to add dining use on the deck. The COP was issued with the condition that the general public would have access to the deck including the dining area.

The proposed seasonal use does not appear to diminish the existing water-dependent use of the site. Additionally, the added income from the seasonal use may help the owner maintain the marine commercial uses at the site as there is sufficient space on the deck for both dining and access to the commercial dock. The owner has expressed interest in modifying the deck in the future to segregate the eating area from direct access to the floating dock.

Parking to support the outdoor grilling use is proposed to be added on the adjacent parcel, which seems to contain a larger asphalt area than the existing use requires. From a coastal management perspective, the surface treatment will remain asphalt. Thus, we do not consider the location of the parking as having an adverse impact on coastal resources. However, we understand that there may be zoning issues unrelated to coastal management that would apply to the proposed additional off-site parking.

In summary, we do not find the proposed seasonal use and the associated site improvements to be inconsistent with Connecticut Coastal Management Act policies, particularly because it includes the provision of public access, a defined water-dependent use. We recommend that if the application is approved and the use is successful, that the deck eventually be modified to further segregate the dining area from access to the commercial dock. We also recommend that the Commission, as part of any coastal site plan review approval, include a condition requiring the public access component of the proposal, including signage, be maintained while the additional non-water-dependent seasonal use is active.

Please let me know if you have any questions or if you need any additional information.

John Gaucher
Environmental Analyst 3
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106

Atty. Rodriguez then displayed the site plan and indicated where the seating would be located.

This would be a wood/charcoal grill and this will be within code.

Commissioner Freddino said that there was no lease agreement for the parking. Atty. Rodriguez said that the ZBA waived the parking, but the owner is still trying to work this out.

Commissioner Riley asked about the floating dock. Atty. Rodriguez displayed the overall site plan and indicated where the 300 foot long floating dock was located.

Commissioner Freddino asked about the public access. Atty. Rodriquez said that the public could use the south side of the dock and that the tables would be available for seating.

Commissioner Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Riley asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Riley closed the public hearing on 365 Seaview Avenue.

Commissioner Riley then closed the public session at 8:20 p.m.

RECESS.

Commissioner Riley announced a recess at 8:20 p.m. He called the meeting back to order at 8:28 p.m.

CONSENT AGENDA.

CA-1 RE: 938 CRESCENT AVENUE – Petition of Cirillo Southern Enterprises, LLC - Requesting an extension of time for a special permit which was approved on July 30, 2012.

**** COMMISSIONER WALKER MOVED TO APPROVE APPLICATION CA-1 RE: 938 CRESCENT AVENUE – PETITION OF CIRILLO SOUTHERN ENTERPRISES, LLC - REQUESTING AN EXTENSION OF TIME FOR A SPECIAL PERMIT WHICH WAS APPROVED ON JULY 30, 2012 WITH A NEW EXPIRATION DATE OF THE SPECIAL PERMIT HAS BEEN ESTABLISHED AS JULY 3, 2014.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

TABLED ITEM.

T-1 (13-26) RE: 375 MAIN STREET – Petition of Housing Authority of the City of Bridgeport - Seeking a change of zone from an OR to an NCVD (Neighborhood Center Village District) zone to facilitate housing development in the south Main Street area.

Mr. Tiago said that he had listened to the audio tapes regarding this application. He said that while there were some site plan issues, he felt they could be worked out.

**** COMMISSIONER MORTON MOVED TO APPROVE APPLICATION T-1 (13-26) RE: 375 MAIN STREET – PETITION OF HOUSING AUTHORITY OF THE CITY OF BRIDGEPORT - SEEKING A CHANGE OF ZONE FROM AN OR TO AN NCVD (NEIGHBORHOOD CENTER VILLAGE DISTRICT) ZONE TO FACILITATE HOUSING DEVELOPMENT IN THE SOUTH MAIN STREET AREA WITH THE EFFECTIVE DATE OF WEDNESDAY, JULY 3, 2013.**

**** COMMISSIONER WALKER SECONDED.
** THE MOTION PASSED WITH FIVE IN FAVOR (RILEY, FREDDINO, TIAGO, MORTON, AND WALKER) AND ONE OPPOSED (FILOTEI).**

DECISION SESSION.

(13-38) RE: 8-24 REPORT – Petition of the City of Bridgeport Office of Planning and Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the acquisition of two (2) commercial lots in an OR-G zone.

**** COMMISSIONER WALKER MOVED TO SEND A FAVORABLE RECOMMENDATION TO THE CITY COMMON COUNCIL REGARDING THE PETITION OF THE CITY OF BRIDGEPORT OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT REGARDING THEIR CT. GENERAL STATUTE SEC. 8-24 REQUEST OF THE FOR THE ACQUISITION OF TWO (2) COMMERCIAL LOTS IN AN OR-G ZONE.**

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

(13-18) RE: 94 BOSTON AVENUE – Petition of Wakefern Foods Corporation (PriceRite) - Seeking a coastal site plan review of the proposed loading dock addition to the existing grocery store in an OR-G zone and coastal area.

**** COMMISSIONER FREDDINO MOVED TO CONTINUE APPLICATION (13-18) RE: 94 BOSTON AVENUE – PETITION OF WAKEFERN FOODS CORPORATION (PRICERITE) - SEEKING A COASTAL SITE PLAN REVIEW OF THE PROPOSED LOADING DOCK ADDITION TO THE EXISTING GROCERY STORE IN AN OR-G ZONE AND COASTAL AREA TO JULY 29, 2013.**

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

(13-23) RE: 10 BOSTON AVENUE – Petition of 10 Boston Avenue, LLC d/b/a BMW of Bridgeport - Seeking a coastal site plan review for an approval of location for a new automobile sales and service facility in an I-L zone and coastal area.

This application was withdrawn.

(13-36) RE: 350 DEKALB AVENUE – Petition of Michael Cortina - Seeking a site plan review and a coastal site plan review to permit the construction of a 1-story 40' x 50' warehouse building in an I-L zone and coastal area.

**** COMMISSIONER WALKER MOVED TO CONTINUE APPLICATION (13-36) RE: 350 DEKALB AVENUE – PETITION OF MICHAEL CORTINA - SEEKING A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 1-STORY 40’ X 50’ WAREHOUSE BUILDING IN AN I-L ZONE AND COASTAL AREA TO JULY 29, 2013 AT 6:45 P.M.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(13-37) RE: 2101 COMMERCE DRIVE – Petition of Self Storage Commerce Fairfield, LLC - Seeking a subdivision of an existing 65,555 sq. ft. parcel of land into a 34,554 sq. ft. lot and a 30,701 sq. ft. lot in an I-L zone and coastal area.

**** COMMISSIONER WALKER MOVED TO APPROVE APPLICATION (13-37) RE: 2101 COMMERCE DRIVE – PETITION OF SELF STORAGE COMMERCE FAIRFIELD, LLC - SEEKING A SUBDIVISION OF AN EXISTING 65,555 SQ. FT. PARCEL OF LAND INTO A 34,554 SQ. FT. LOT AND A 30,701 SQ. FT. LOT IN AN I-L ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITION:**

1. THE PETITIONER SHALL FILE AN A-2 SURVEY ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT.

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT AS APPROVED MEETS THE SUBDIVISION REQUIREMENTS FOR THE I-L ZONE.**
- 2. CONFORMS TO THE MASTER PLAN OF CONSERVATION & DEVELOPMENT OF THE CITY OF BRIDGEPORT.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(13-40) RE: 53 – 55 BRONX AVENUE – Petition of Virginia Aguilar - Seeking a site plan review to legalize the establishment of a 3-family dwelling in an R-A zone.

Mr. Buckley reviewed the various methods that have been used to get around the electric meters requirements to create an illegal apartment. The discussion moved to the Fire Marshal's code and compliance requirements. Mr. Walker suggested the Commission consider a moratorium on illegal multiple family residences until a study is done. This will be discussed at a later date.

**** COMMISSIONER FREDDINO MOVED TO APPROVE APPLICATION (13-40) RE: 53 – 55 BRONX AVENUE – PETITION OF VIRGINIA AGUILAR - SEEKING A SITE**

PLAN REVIEW TO LEGALIZE THE ESTABLISHMENT OF A 3-FAMILY DWELLING IN AN R-A ZONE WITH THE FOLLOWING CONDITION:

- 1. PETITIONER IS TO FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

FOR THE FOLLOWING REASONS:

- 1. THE PROPOSED USE IS CONSISTENT WITH OTHER HOMES IN THE IMMEDIATE AREA**
- 2. THE USE OF THE SUBJECT PREMISES AS A 3-FAMILY DWELLING IS IN CHARACTER WITH SURROUNDING PROPERTIES.**
- 3. THE PROJECT AS APPROVED COMPLIES WITH SEC. 14-2-5 OF THE ZONING REGULATIONS.**

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

(13-42) RE: 799 SYLVAN AVENUE – Petition of Joseph Toto/Parkview Commons, LLC - Seeking a change of zone from an R-A to an R-C zone, and also seeking a special permit and a site plan review to permit the construction of a 3-unit townhouse style building.

**** COMMISSIONER MORTON MOVED TO DEFER APPLICATION (13-42) RE: 799 SYLVAN AVENUE – PETITION OF JOSEPH TOTO/PARKVIEW COMMONS, LLC - SEEKING A CHANGE OF ZONE FROM AN R-A TO AN R-C ZONE, AND ALSO SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 3-UNIT TOWNHOUSE STYLE BUILDING.
** COMMISSIONER FREDDINO SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

(13-43) RE: 800, 810 SYLVAN AVENUE & 123 PARKVIEW AVENUE – Petition of Joseph Toto/Parkview Commons, LLC - Seeking a change of zone from an R-A to an R-C zone, and also seeking a special permit and site plan review to permit the construction of a 9-unit townhouse style building.

**** COMMISSIONER MORTON MOVED TO DEFER APPLICATION (13-43) RE: 800, 810 SYLVAN AVENUE & 123 PARKVIEW AVENUE – PETITION OF JOSEPH TOTO/PARKVIEW COMMONS, LLC - SEEKING A CHANGE OF ZONE FROM AN R-A TO AN R-C ZONE, AND ALSO SEEKING A SPECIAL PERMIT AND SITE PLAN**

REVIEW TO PERMIT THE CONSTRUCTION OF A 9-UNIT TOWNHOUSE STYLE BUILDING.

**** COMMISSIONER FREDDINO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(13-44) RE: 186 NORTH AVENUE – Petition of Hussein Berry - Seeking a special permit and a site plan review to establish a retail fast food take-out business in a former used car dealership facility in an I-L zone.

**** COMMISSIONER WALKER MOVED TO APPROVE APPLICATION (13-44) RE: 186 NORTH AVENUE – PETITION OF HUSSEIN BERRY - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO ESTABLISH A RETAIL FAST FOOD TAKE-OUT BUSINESS IN A FORMER USED CAR DEALERSHIP FACILITY IN AN I-L ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE MAIN ENTRANCE AND EXIT FROM THIS SITE SHALL BE FROM GLENWOOD AVENUE.**
- 2. THE EXIT ON NORTH AVENUE SHALL BE LIMITED TO RIGHT TURN ONLY WITH A BERM AND SIGNAGE TO PROHIBIT PATRONS FROM CROSSING NORTH AVENUE WHEN LEAVING THE SITE.**
- 3. AS THE DRIVEWAY APRON FACING NORTH AVENUE FAR EXCEEDS CITY STANDARDS, THE PETITIONER MUST APPLY TO THE CITY COUNCIL TO LEGALIZE THE WIDTH.**
- 4. THE PETITIONER SHALL HAVE THE SITE PLAN REVIEWED BY THE STATE OF CT DEPARTMENT OF TRANSPORTATION TO ENSURE PROPER TRAFFIC FLOW ALONG THE US-1 NORTH AVENUE CORRIDOR.**

FOR THE FOLLOWING REASONS:

- 1. THE PROPOSED USE OF THE SUBJECT SITE IS AN IMPROVEMENT TO THE AREA AND IS IN KEEPING WITH THE CHARACTER OF THIS SECTION OF NORTH AVENUE.**
- 2. AS TO THE SPECIAL PERMIT AND SITE PLAN REVIEW, THE PROJECT AS APPROVED COMPLIES WITH SEC. 14-4-4 AND 14-2-5 OF THE ZONING REGULATIONS.**

THE EXPIRATION DATE OF THE SPECIAL PERMIT APPROVAL, AS REQUIRED UNDER SEC. 14-4-5 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT HAS BEEN ESTABLISHED AS JULY 3, 2014.

**** COMMISSIONER WALKER SECONDED.**

**** THE MOTION PASSED WITH FIVE IN FAVOR (RILEY, FREDDINO, TIAGO, MORTON, AND WALKER) AND ONE OPPOSED (FILOTEI).**

(13-45) RE: 1830 BARNUM AVENUE – Petition of Alexandria Ruffin - Seeking a special permit and a site plan review to permit the establishment of a jazz club with a beer/wine café license in the existing mixed use commercial building in an OR zone.

**** COMMISSIONER WALKER MOVED TO APPROVE APPLICATION (13-45) RE: 1830 BARNUM AVENUE – PETITION OF ALEXANDRIA RUFFIN - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A JAZZ CLUB WITH A BEER/WINE CAFÉ LICENSE IN THE EXISTING MIXED USE COMMERCIAL BUILDING IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE SPRINKLER SYSTEM IS TO BE INSTALLED TO ENSURE THE SAFETY OF PATRONS IN THIS OLD WOODEN BUILDING.**
- 2. LIVE ENTERTAINMENT IS LIMITED TO JAZZ MUSICIANS, JAZZ RECORDINGS, AND BANDS.**
- 3. PETITIONER IS TO MAKE AVAILABLE TO PATRONS PRE-PACKAGED FOOD IN CONJUNCTION WITH THE PREVIOUSLY APPROVED BEER & WINE LICENSE.**

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT, AS APPROVED, COMPLIES WITH SEC. 14-4-4 AND 14-2-5 OF THE ZONING REGULATIONS**
- 2. A JAZZ ENTERTAINMENT VENUE ADDS AN ADDITIONAL SOCIAL OUTLET FOR AREA RESIDENTS.**

THE EXPIRATION DATE OF THE SPECIAL PERMIT APPROVAL, AS REQUIRED UNDER SEC. 14-4-5 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT HAS BEEN ESTABLISHED AS JULY 3, 2014.

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(13-46) RE: 35, 45, 55, 36, 48 DOWN STREET – Petition of Antonio Teixeira & Guy DeMaio – Seeking a re-subdivision and re-configuration of 6 parcels of property and a site plan review for development in an R-A zone.

**** COMMISSIONER FREDDINO MOVED TO DEFER APPLICATION (13-46) RE: 35, 45, 55, 36, 48 DOWN STREET – PETITION OF ANTONIO TEIXEIRA & GUY DEMAIO – SEEKING A RE-SUBDIVISION AND RE-CONFIGURATION OF 6 PARCELS OF PROPERTY AND A SITE PLAN REVIEW FOR DEVELOPMENT IN AN R-A ZONE.
** COMMISSIONER WALKER SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

(13-48) RE: 365 SEAVIEW AVENUE – Petition of John Szyszka - Seeking a special permit and a site plan review and a coastal site plan review to establish a 36 seat outdoor seasonal dining facility with beer & wine table service in an I-L zone and coastal area.

**** COMMISSIONER WALKER MOVED TO APPROVE APPLICATION (13-48) RE: 365 SEAVIEW AVENUE – PETITION OF JOHN SZYSZKA - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW AND A COASTAL SITE PLAN REVIEW TO ESTABLISH A 36 SEAT OUTDOOR SEASONAL DINING FACILITY WITH BEER & WINE TABLE SERVICE IN AN I-L ZONE AND COASTAL AREA WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER IS TO COMPLY WITH ALL RECOMMENDATIONS OF JOHN GAUCHER OF THE LONG ISLAND SOUND PROGRAM IN HIS REVIEW VIA EMAIL DATED 06/19/13.**
- 2. LAVATORY FACILITIES SHALL BE AVAILABLE FOR PUBLIC ACCESS ALL YEAR ROUND.**
- 3. PETITIONER IS TO FILE FOR A SEASONAL PERMIT FROM THE ZONING DEPARTMENT ON A YEARLY BASIS.**
- 4. ALL CONDITIONS OF APPROVAL IMPOSED BY THE ZONING BOARD OF APPEALS ARE ALSO INCORPORATED INTO THIS APPROVAL.**

FOR THE FOLLOWING REASONS:

- 1. THE PROJECT, AS APPROVED, COMPLIES WITH THE SPECIAL PERMIT STANDARDS AND THE SITE PLAN REVIEW STANDARDS OF SEC. 14-4-4 AND 14-2-5 OF THE ZONING REGULATIONS.**
- 2. THE DEVELOPMENT OF THE SUBJECT PREMISES INTO A SEASONAL DINING FACILITY SHOULD HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.**

THE EXPIRATION DATE OF THE SPECIAL PERMIT APPROVAL, AS REQUIRED UNDER SEC. 14-4-5 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT HAS BEEN ESTABLISHED AS JULY 3, 2014.

THE EXPIRATION DATE OF THE COASTAL SITE PLAN REVIEW, AS REQUIRED UNDER SEC. 14-3-4 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT, CT HAS BEEN ESTABLISHED AS JULY 3, 2014.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE COMMISSION.

There was no additional business to discuss at this time.

APPROVAL OF MINUTES.

April 29, 2013 Minutes- A quorum of Commissioners from that meeting was not present.

ADJOURNMENT.

- ** COMMISSIONER TIAGO MOVED TO ADJOURN.**
- ** COMMISSIONER MORTON SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services