



PLANNING AND ZONING COMMISSION  
FEBRUARY 24, 2014  
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; Robert Morton Acting Secretary;  
Tom Fedele, Bob Filotei, Joe Tiago, Edgar Rodríguez, Reggie  
Walker

**STAFF:** Dennis Buckley, Zoning Officer; Diego Guerrero, Design Review  
Coordinator; Atty. Ed Schmidt, City Attorney's Office

**CALL TO ORDER**

Mr. Riley called the meeting to order at 6:52 p.m. A quorum was present.

**CITY BUSINESS.**

**(14-01) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of 14 (seventeen) city-owned parcels.**

**(14-02) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of 35 (thirty-five) city-owned parcels.**

**(14-06) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the lease of city-owned land at 350 Waldemere Ave.**

Mr. Kooris, the Director of Office of Planning and Economic Development (OPED), came forward and greeted the Commission. He explained that the three items were all 8-24 referrals regarding the sale of City properties. It was stated that if the Commission failed to act on these referrals within 35 days, the referrals would automatically become approvals. OPED then forwards the referrals to the full Council for consideration.

**(14-17) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the lease of city-owned land at 45 Lyon Terrace (rear lot).**

Mr. Kooris, the Director of Office of Planning and Economic Development (OPED), came forward and greeted the Commission. He explained that this was a lease for a city project on City owned land and involved a micron grid project for redundancy. Bridgeport submitted two applications, the first was awarded by the State from among six other applications. The State will pay for the wires for the micro grid and this will allow City Hall not to be so dependent on United Illuminating.

Mr. Kooris then gave an overview of the details, which would involve a small enclosed building in the landscaped quadrant by the rear parking lot in the back of City Hall. The wires would be underground and the network would be linked to the surrounding buildings.

Mr. Riley asked about the current power provider. Mr. John Cotell came forward and explained that originally, it was powered by natural gas but it became apparent that it wasn't worthwhile, so that was removed.

Mr. Walker wished to know if this would disrupt the parking lot. Mr. Kooris and Mr. Cotell said that there would have be a trench put in the lot. Mr. Riley pointed out that there were other alternative power generators such as the fuel cells or RESCO. Mr. Cotell agreed that Bridgeport generates a significant amount of power. Discussion followed regarding when this generator would be used.

A question was asked about how tall the building would be. Mr. Cotell replied that the building would be one story.

Mr. Filotei wished to know if other sites has been considered. Mr. Cotell replied that they had considered other locations but there were security concerns. The discussion then moved to the fact that this micro grid would be near the Route 8 Connector. There is a loss of power even over a short transmission distance.

Mr. Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Riley then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Riley closed the public hearing on agenda item 14-17, the 8-24 Referral regarding 45 Lyon Terrace.

**D-3 (14-04) RE: 76 GLENWOOD AVENUE – Petition of 76 Glenwood Avenue, LLC - Seeking a special permit, site plan review, and under Sec. 14-54 of the CT General Statutes and Sec. 12-2 of the Zoning Regulations for a certificate of approval of location and the issuance of a used car dealership license in the existing commercial building in an OR-G zone.**

Mr. John Fallon came forward and requested that the application be deferred to the March 31st meeting. He waived the 65 day rule and said he would send an email to the Planning and Zoning Office.

**D-1 (13-68) RE: TEXT AMENDMENT – Petition of the City of Bridgeport Office of Planning & Economic Development - Seeking to amend Tables 2a, & 4a of the Zoning Regulations to permit an as-of-right matter for ferry passenger terminals in an MU-LI zone and coastal area.**

A request was made to defer this item to the March 31st agenda.

**(14-11) RE: 240 (aka 139) OCEAN TERRACE – Petition of the City of Bridgeport School Building Committee - Seeking a special permit, site plan review, and a coastal site plan review to permit the construction of a new state-of-the-art elementary school in an R-C zone and coastal area.**

A letter was submitted saying the applicant would like to defer the application in order to resolve all the issues. The applicant expects to have these matters settled soon. The next regularly scheduled public hearing will be on March 31st.

**D-2 (13-73) RE: 3715 MAIN STREET – Petition of D&B Wellness, LLC - Seeking a special permit and a site plan review to permit the establishment of a medical marijuana dispensary in conjunction with a holistic care clinic in the existing commercial building in an OR-R zone.**

It was announced that this application had been withdrawn on February 12, 2014. DB Wellness Clinic has applied for permission for the same facility in a different location and that application will be heard later in the meeting.

**NEW BUSINESS.**

*Mr. Tiago left the meeting at 7:14 p.m.*

**(14-09) RE: 177 & 189 STATE STREET – Petition of Forstone McLevy, LLC - Seeking a coastal site plan review to permit renovation of the existing commercial/office building into retail and 4-story residential use in a DVD-CORE zone.**

Atty. John White came forward to present the site plan for renovating existing commercial buildings into retail and residential units at 177 & 189 State Street. The structure at 189 State was a bank and has a common wall with the building at 177 State. The larger building on the west side will have the retail in the front and the back will have a chiropractor's office. The discussion then moved to the amount of retail/office space that would be included. It was stated that this type of use was consistent with the Master Plan and the units would be at market value.

Mr. Ryan McClay, and Mr. Mark Thompson from Fletcher Thompson came forward to address the Commissioners. They explained that the goal was to renovate and revitalize the interiors of the buildings and there would be space for community use. All the floor plans were included in the documentation. There will not be any disturbance of the historic façade but the building will be brought up to code. Currently, the building is vacant except for the first floor.

Mr. Walker asked if this building was included on the Registry of Historic Places. Mr. McClay said that an application will be made for historic tax credits and other similar programs.

A question was raised about parking. The Commission was informed that there was a copy of the lease for parking and which building it was located behind. There are 240 parking spaces in that lot. The residential and retail will need approximately 32 spaces. A discussion followed about the details of the parking arrangement.

Atty. White said that there would be no change to the footprint of the building. The front lobby may remain as a lobby. The Fire Marshal only had some minor comments. Mr. Guerrero, the Design Review Coordinator recommended approval.

Mr. Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Riley then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Riley closed the public hearing on 177&189 State Street.

**14-12 RE: 5060 PARK AVENUE – Petition of Sacred Heart University, Inc. - Seeking a site plan review to permit the construction of a 3-story, 2,999 sq. ft. student learning center in an R-A zone.**

Atty. Lynch of Fitzpatrick Fray & Bologna, Fairfield, CT, came forward and greeted the Commissioners. He introduced Mr. Patrick Rose of Rose• Tiso.

Atty. Lynch said that the University already owned the property and wished to construct a three story student learning center.

Mr. Riley asked for clarification on what a learning center was. Atty. Lynch submitted copies of the site plans with elevations to the Commissioners. He spoke about how this building was in response to the Americans With Disabilities Act (ADA). The program would provide for the diverse student population along with space for tutoring and a literacy clinic for the local elementary students. The University would be charging for the service.

The ZBA requirements regarding the shrubbery near the property and a nearby vacant area by Nancy Drive was the next item discussed.

The hours for the Learning Center will be between 8 a.m. and 6 p.m.

Mr. Rose was asked to describe the layout of the streetscape between Old Town Road to Eckert Street. Mr. Rose described the area as having residence halls. Mr. Riley said that this proposal appeared to be a different type of structure. Mr. Rose said that there would be elements that would blend in with the present structures because the architects were incorporating design from the other buildings.

It was stated that no one would be living in the building and it would not become a dormitory. The building would only be open during business hours.

Mr. Riley expressed concern about the pedestrians cross at the crest of the hill. Discussion followed about installing a sidewalk to connect the Student Center and entrance.

Mr. Walker pointed out that there was a house on the property and this building would be essentially the size of the Health and Wellness Center. It was stated that there would be 22 parking spaces at the rear of the building for the staff. Mr. Rose then reviewed the details of the various rooms in the building. The plans have met the landscaping requirements and there will be a 6 foot fence along two areas and bordering the neighbor to the east.

Mr. Riley asked if there would be a problem if the conditions stipulated that this building was not allowed to have student housing. He was told that this would be acceptable as a condition.

Atty. Lynch came forward and summarized the proposed project for the Commissioners. The building satisfies the height requirement, and will comply with the business hours. The University generates PILOT funding for the City. The programs in the building will help City students and those with disabilities.

Mr. Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Riley then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Riley closed the public hearing on 5060 Park Avenue.

**(14-13) RE: 3885 MAIN STREET – Petition of Celico Partnership d/b/a Verizon wireless - Seeking a site plan review to permit the installation of antennas and rooftop cellular equipment in an OR-R zone.**

Atty. Ken Baldwin of Robinson and Cole came forward and introduced himself. He said that he was the representative for the applicant. Mr. Riley asked if it would be worthwhile to combine this presentation with the following one. Atty. Baldwin said that he would prefer to handle the two applications separately.

This building is three stories and T-Mobile already has an antenna on the roof. Mr. Riley pointed out that the companies generally look for a higher elevation. The representative said that the company needs more capacity because of the population density in the area. They are also offering more features, which required more capacity. Having locations that are lower in elevation helps with coverage because overlap provides continuity. Discussion about the details for the location of the antennas followed.

Mr. Riley asked about the natural gas line involved in the project. He was told that two variances have already been granted since the height of the building exceeds the zoning requirements. The set back requirements have also been waived. The discussion then moved to the details included in the regulations.

Mr. Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Riley then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Riley closed the public hearing on 3885 Main Street.

**(14-14) RE: 299 WORDIN AVENUE & 1087 RAILROAD AVENUE – Petition of Celico Partnership d/b/a Verizon wireless - Seeking a site plan review to permit the installation of antennas and rooftop cellular equipment in an MU-LI zone.**

Atty. Ken Baldwin of Robinson and Cole came forward and introduced himself. He said that he was the representative for the applicant. The site location is a public storage building. There is a 12' x 20' equipment shelter and four of the antennas will be located on one side of this shelter. Atty. Baldwin went on to explain where the remaining antennas were located and said that there is back up power supplied by propane generators. Approvals for the height variation have already been received. The new antennas are being installed to provide additional capacity.

Mr. Filotei asked if there were any additional antennas on the site. Atty. Baldwin stated that there were six other antennas there. It was also noted that there was a tower on Pine Street and one on a nearby church spire.

The discussion then moved to the business relationship between the cell company and Verizon.

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

Mr. John Hendren came forward. He greeted the Commissioners and said that he lives near the building and had concerns about the electro-magnet field given off by the

antenna. He also had concerns about his property values. Mr. Hendren also wished to know who would be the watchdog.

Mr. Riley asked if there was anyone else present who wished to speak against the application. No one came forward.

Atty. Baldwin came forward and explained that the worst case scenario would be if all the channels were operating at full volume, but that this rarely happens. He said that the range was 3.2% at the high end. Verizon is required to comply with the SCC regulations and has spent significant amounts to insure that they do. Because of this, the company is almost self regulating and monitors its facilities.

Mr. Riley closed the public hearing on 299 Wordin Avenue and 1087 Railroad Avenue at 7:59 p.m.

**RECESS.**

Mr. Riley called for a recess at 7:59 p.m. He called the meeting back into order at 8:04 p.m.

*Mr. Tiago rejoined the meeting at 8:04 p.m.*

**(14-15) RE: 2181 MAIN STREET – Petition of D&B Wellness, LLC - Seeking a special permit and site plan review to permit the establishment of a medical marijuana dispensary in the proposed holistic care clinic in the existing commercial building in an OR-G zone.**

Mr. Riley stated that medical marijuana is legal in Connecticut.

Atty. Ray Rizio came forward and greeted the Commissioners. He stated that he was the representative for the applicants. He then reviewed the location of the sited and said that Mr. Guerrero supports the application. Atty. Rizio then pointed out that this site satisfies all the requirements. The zoning allows for medical offices, so no variances are needed for that. Retail sales are also allowed in an OR-G zone.

It was noted that this application was listed in the Legal Notices as an OR-R rather than an OR-G as noted on the map. Atty. Rizio said that this was not a problem for him. Atty. Ed Schmidt from the City Attorney's Office came forward. A discussion followed about the details of the error in the legal notice publication. It was pointed out that there were significant differences between OR-R and OR-G zoning.

Atty. Rizio said that it was his understanding that this type of business was a hybrid between pharmaceuticals and medical offices, both of which are permitted. Atty. Schmidt said that there was usually no debate regarding medical offices, but this is retail. Mr. Riley said that he would prefer to wait and republish the legal notice just to be on the safe

side since this is a new type of business and also controversial. Atty. Rizio said that his client wanted the Commissioners to be comfortable with an unquestionable notification and therefore was willing to extend the application until next month. Mr. Riley said that the public deserved a fair and unbiased hearing on the matter.

Atty. Rizio had a brief conference with his clients and said that there was a Connecticut State deadline to be met. Mr. Riley pointed out that this was not enough to merit a special meeting in mid-March. Atty. Rizio then requested that the application be presented to the Commission on the March 31st agenda.

**(14-16) RE: 1815 STATE STREET – Petition of Concrete Encounter/Jeff Kuryluk - Seeking a special permit and a site plan review to permit the establishment of a low impact manufacturing facility with related business offices in the existing industrial building in an I-L zone.**

Mr. Kuryluk came forward and greeted the Commissioners. He said that he had been in Bridgeport for 10 years. His business manufactures countertops and arch elements. He said to his best knowledge, the former United Illuminating substation building was never rezoned. He said that his business wants to continue producing concrete elements and explained that the engineering process does not use a lot of concrete. The items are hollow, polished and then sealed. This is a low impact process. He also stated that this was not the O&G concrete facility.

Mr. Riley asked about the egress from the second floor offices. Mr. Kuryluk said that he was intending to occupy the first floor since he must vacate his current location and wants to keep the business going. When asked about the exterior, Mr. Kuryluk said that he wanted to fix the outside brick cladding and repaint. There is a significant amount of detail on the building. Mr. Tiago asked if there was parking. Mr. Kuryluk in the rear of the building. The landscaping will remain basically the same.

Mr. Riley asked if there was anyone present who wished to speak in favor of the application. No one came forward. Mr. Riley then asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Riley closed the public hearing on 1815 State Street.

Mr. Riley then closed the public hearing portion of the meeting at 8:43 p.m.

**CONSENT AGENDA.**

**CA-1 RE: 170 HERBERT STREET – Petition of Byrne Woodworking - Requesting an extension of time for a petition approved by the Planning & Zoning Commission on 5/28/13 for a woodworking shop in an I-L zone and coastal area.**

Mr. Buckley came forward and explained Atty. Rizio had submitted a letter requesting an extension. This is the applicant's first request.

**CA-2 RE: 843 – 845 CONNECTICUT AVE. – Petition of Bethel Pentecostal - Requesting a 2nd extension of time for a petition approved by the Planning & Zoning Commission on 01/30/12 for the expansion of the existing house of worship in an R-C zone.**

Mr. Buckley said that this was the applicant's second request for an extension and that there was a significant amount of work that needed to be done there. Mr. Riley asked what the policy was regarding multiple extensions. Mr. Buckley said that it was the original plus four requests by letter.

**\*\* MR. WALKER MOVED TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS:**

**CA-1 RE: 170 HERBERT STREET – PETITION OF BYRNE WOODWORKING - REQUESTING AN EXTENSION OF TIME FOR A PETITION APPROVED BY THE PLANNING & ZONING COMMISSION ON 5/28/13 FOR A WOODWORKING SHOP IN AN I-L ZONE AND COASTAL AREA. THE NEW EXPIRATION DATE OF THE SPECIAL PERMIT AND COASTAL SITE PLAN REVIEW HAS BEEN ESTABLISHED AS JUNE 3, 2015.**

**CA-2 RE: 843 – 845 CONNECTICUT AVE. – PETITION OF BETHEL PENTECOSTAL - REQUESTING A 2ND EXTENSION OF TIME FOR A PETITION APPROVED BY THE PLANNING & ZONING COMMISSION ON 01/30/12 FOR THE EXPANSION OF THE EXISTING HOUSE OF WORSHIP IN AN R-C ZONE. THE NEW EXPIRATION DATE OF THE SPECIAL PERMIT HAS BEEN ESTABLISHED AS MARCH 3, 2015.**

**\*\* MR. RODRÍGUEZ SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY**

### **DECISION SESSION.**

**(14-01) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of 14 (seventeen) city-owned parcels.**

**(14-02) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of 35 (thirty-five) city-owned parcels.**

**(14-06) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the lease of city-owned land at 350 Waldemere Ave.**

There was no motion made on the following items:

(14-01) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of 14 (seventeen) city-owned parcels.

(14-02) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of 35 (thirty-five) city-owned parcels.

(14-06) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the lease of city-owned land at 350 Waldemere Ave.

by the Planning and Zoning Commission due to they fact that they are beyond the statutory 35-day review limit.

**(14-17) 8-24 Referral – Petition of the City of Bridgeport Office of Planning & Economic Development - Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the lease of city-owned land at 45 Lyon Terrace (rear lot).**

- \*\* **MR. MORTON MOVED TO FORWARD A FAVORABLE RECOMMENDATION TO THE CITY COMMON COUNCIL REGARDING (14-17) 8-24 REFERRAL – PETITION OF THE CITY OF BRIDGEPORT OFFICE OF PLANNING & ECONOMIC DEVELOPMENT - REQUESTING UNDER SEC. 8-24 OF THE CT. GENERAL STATUTE A FAVORABLE RECOMMENDATION FOR THE LEASE OF CITY-OWNED LAND AT 45 LYON TERRACE (REAR LOT).**
- \*\* **MR. WALKER SECONDED.**
- \*\* **THE MOTION PASSED UNANIMOUSLY.**

**D-1 (13-68) RE: TEXT AMENDMENT – Petition of the City of Bridgeport Office of Planning & Economic Development - Seeking to amend Tables 2a, & 4a of the Zoning Regulations to permit an as-of-right matter for ferry passenger terminals in an MU-LI zone and coastal area.**

- \*\* MR. RODRÍGUEZ MOVED TO DEFER D-1 (13-68) RE: TEXT AMENDMENT – PETITION OF THE CITY OF BRIDGEPORT OFFICE OF PLANNING & ECONOMIC DEVELOPMENT - SEEKING TO AMEND TABLES 2A, & 4A OF THE ZONING REGULATIONS TO PERMIT AN AS-OF-RIGHT MATTER FOR FERRY PASSENGER TERMINALS IN AN MU-LI ZONE AND COASTAL AREA TO MARCH 31, 2014.**
- \*\* MR. FEDELE SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**D-2 (13-73) RE: 3715 MAIN STREET – Petition of D&B Wellness, LLC - Seeking a special permit and a site plan review to permit the establishment of a medical marijuana dispensary in conjunction with a holistic care clinic in the existing commercial building in an OR -R zone.**

A notification of withdrawal was received on February 12, 2014. No action was required.

**D-3 (14-04) RE: 76 GLENWOOD AVENUE – Petition of 76 Glenwood Avenue, LLC - Seeking a special permit, site plan review, and under Sec. 14-54 of the CT General Statutes and Sec. 12-2 of the Zoning Regulations for a certificate of approval of location and the issuance of a used car dealership license in the existing commercial building in an OR-G zone.**

- \*\* MR. MORTON MOVED TO DEFER APPLICATION D-3 (14-04) RE: 76 GLENWOOD AVENUE – PETITION OF 76 GLENWOOD AVENUE, LLC - SEEKING A SPECIAL PERMIT, SITE PLAN REVIEW, AND UNDER SEC. 14-54 OF THE CT GENERAL STATUTES AND SEC. 12-2 OF THE ZONING REGULATIONS FOR A CERTIFICATE OF APPROVAL OF LOCATION AND THE ISSUANCE OF A USED CAR DEALERSHIP LICENSE IN THE EXISTING COMMERCIAL BUILDING IN AN OR-G ZONE TO MARCH 31, 2014.**

- \*\* MR. FEDELE SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**(14-09) RE: 177 & 189 STATE STREET – Petition of Forstone McLevy, LLC - Seeking a coastal site plan review to permit renovation of the existing commercial/office building into retail and 4-story residential use in a DVD-CORE zone.**

Mr. Fedele expressed concerns about parking for the project. There was a brief discussion about the parking downtown. Mr. Riley pointed out that there was adequate parking

downtown, but that people were not able to find it. Mr. Buckley pointed out that there was parking with

**\*\* MR. WALKER MOVED TO APPROVE APPLICATION (14-09) RE: 177 & 189 STATE STREET – PETITION OF FORSTONE MCLEVY, LLC - SEEKING A COASTAL SITE PLAN REVIEW TO PERMIT RENOVATION OF THE EXISTING COMMERCIAL/OFFICE BUILDING INTO RETAIL AND 4-STORY RESIDENTIAL USE IN A DVD-CORE ZONE WITH THE FOLLOWING CONDITION:**

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

**FOR THE FOLLOWING REASON:**

**THE PROJECT, AS APPROVED, COMPLIES WITH THE MASTER PLAN GUIDELINES FOR THE DOWNTOWN AREA, AS WELL AS THE SITE PLAN REVIEW STANDARD OF SEC. 14-2-5 OF THE ZONING REGULATIONS.**

**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 MARCH 3, 2015.**

**\*\* MR. MORTON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**(14-11) RE: 240 (aka 139) OCEAN TERRACE – Petition of the City of Bridgeport School Building Committee - Seeking a special permit, site plan review, and a coastal site plan review to permit the construction of a new state-of-the-art elementary school in an R-C zone and coastal area.**

**\*\* MR. WALKER MOVED TO DEFER APPLICATION (14-11) RE: 240 (aka 139) OCEAN TERRACE – PETITION OF THE CITY OF BRIDGEPORT SCHOOL BUILDING COMMITTEE - SEEKING A SPECIAL PERMIT, SITE PLAN REVIEW, AND A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A NEW STATE-OF-THE-ART ELEMENTARY SCHOOL IN AN R-C ZONE AND COASTAL AREA TO MARCH 31, 2014.**

**\*\* MR. MORTON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**(14-12) RE: 5060 PARK AVENUE – Petition of Sacred Heart University, Inc. - Seeking a site plan review to permit the construction of a 3-story, 2,999 sq. ft. student learning center in an R-A zone.**

**\*\* MR. WALKER MOVED TO APPROVE APPLICATION (14-12) RE: 5060 PARK AVENUE – PETITION OF SACRED HEART UNIVERSITY, INC. - SEEKING A SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 3-STORY, 2,999 SQ. FT. STUDENT LEARNING CENTER IN AN R-A ZONE WITH THE FOLLOWING CONDITION:**

**IN ADDITION TO THE CONDITIONS OF APPROVAL IMPOSED BY THE ZONING BOARD OF APPEALS ON 11/12/13, THE FACILITY SHALL NOT BE USED AS A DORMITORY OR ANY TYPE OF HOUSING AT ANYTIME FOR ANY REASON.**

**FOR THE FOLLOWING REASONS:**

**THE PROJECT, AS APPROVED, COMPLIES WITH THE SITE PLAN REVIEW STANDARDS OF SEC. 14-2-5.**

**\*\* MR. RODRÍGUEZ SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**(14-13) RE: 3885 MAIN STREET – Petition of Celico Partnership d/b/a Verizon wireless - Seeking a site plan review to permit the installation of antennas and rooftop cellular equipment in an OR-R zone.**

**\*\* MR. FEDELE MOVED TO APPROVE APPLICATION (14-13) RE: 3885 MAIN STREET – PETITION OF CELICO PARTNERSHIP D/B/A VERIZON WIRELESS - SEEKING A SITE PLAN REVIEW TO PERMIT THE INSTALLATION OF ANTENNAS AND ROOFTOP CELLULAR EQUIPMENT IN AN OR-R ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. ALL ANTENNAS MOUNTED ON THE WALLS OF THE BUILDING ARE TO BE PAINTED TO MATCH THE COLOR OF THE BUILDING.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

**FOR THE FOLLOWING REASON:**

**THE PETITIONER IS TO FILE PLANS AND APPLICATIONS FOR THE**

**ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

- \*\* MR. RODRÍGUEZ SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**(14-14) RE: 299 WORDIN AVENUE & 1087 RAILROAD AVENUE – Petition of Celico Partnership d/b/a Verizon wireless - Seeking a site plan review to permit the installation of antennas and rooftop cellular equipment in an MU-LI zone**

**\*\* MR. RODRÍGUEZ MOVED TO APPROVE APPLICATION (14-14) RE: 299 WORDIN AVENUE & 1087 RAILROAD AVENUE – PETITION OF CELICO PARTNERSHIP D/B/A VERIZON WIRELESS - SEEKING A SITE PLAN REVIEW TO PERMIT THE INSTALLATION OF ANTENNAS AND ROOFTOP CELLULAR EQUIPMENT IN AN MU-LI ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. ALL ANTENNAS MOUNTED ON THE WALLS OF THE BUILDING ARE TO BE PAINTED TO MATCH THE COLOR OF THE BUILDING.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**

**FOR THE FOLLOWING REASON:**

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

- \*\* MR. MORTON SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**(14-15) RE: 2181 MAIN STREET – Petition of D&B Wellness, LLC - Seeking a special permit and site plan review to permit the establishment of a medical marijuana dispensary in the proposed holistic care clinic in the existing commercial building in an OR-G zone.**

**\*\* MR. WALKER MOVED TO CONTINUE APPLICATION (14-15) RE: 2181 MAIN STREET – PETITION OF D&B WELLNESS, LLC - SEEKING A SPECIAL PERMIT AND SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A MEDICAL MARIJUANA DISPENSARY IN THE PROPOSED HOLISTIC CARE CLINIC IN THE EXISTING COMMERCIAL**

**BUILDING IN AN OR-G ZONE TO MARCH 31, 2014 IN ORDER TO  
REPUBLISH THE LEGAL NOTICE.**

**\*\* MR. MORTON SECONDED.**

Mr. Tiago asked if the City could be held liable if this application is approved because the decision exceeds 35 days. Mr. Buckley reviewed the situation and said that the City could not be held liable for a clerical.

Mr. Riley asked Atty. Schmidt to consider the classification of this type of facility before the next meeting. These are not the growing facilities. This is a dispensary. Mr. Guerrero pointed out that the previous applicant had been denied. Mr. Riley pointed out that the applicant had withdrawn the application for Merritt Medical building. Mr. Rodriguez said that the very first application had been denied. He then asked for clarification regarding the reasons for denying the first facility but potentially approving this facility, which will be located by housing. Mr. Buckley explained that the original application was in a Residence A zone and there was opposition from Sacred Heart. Merritt Medical is owned by the physicians who occupy the building.

Atty. Schmidt pointed out that as time goes by, the other towns will have regulations that limit the location of these dispensary. Mr. Riley asked if the City could have a condition where these dispensaries were contiguous with another medical use. Discussion about this followed.

Mr. Filotei suggested that the Commission institute a six month moratorium on these dispensaries to consider the zoning. Mr. Riley said that as soon as this one is concluded, it would be possible to do so. Atty. Schmidt said that six months was fine, but if the Commission extends the moratorium past a year, the courts will require a very good reason for it. If the Commission wished to do this, it would have to be included on a regular meeting agenda and be included in the public notice. Mr. Riley pointed out that the State will control the number of dispensaries. Further discussion followed about the State filing deadlines and the potential of having people submit applications in order to be considered before the moratorium.

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

**(14-16) RE: 1815 STATE STREET – Petition of Concrete Encounter/Jeff Kuryluk - Seeking a special permit and a site plan review to permit the establishment of a low impact manufacturing facility with related business offices in the existing industrial building in an I-L zone.**

Mr. Riley said that he would like to see the building repairs. Atty. Schmidt suggested that the Commission vote to approve the special permit and continue the site plan issue to the March meeting.

**\*\* MR. RODRÍGUEZ MOVED TO PARTIALLY APPROVE APPLICATION (14-16) RE: 1815 STATE STREET – PETITION OF CONCRETE ENCOUNTER/JEFF KURLUK - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A LOW IMPACT MANUFACTURING FACILITY WITH RELATED BUSINESS OFFICES IN THE EXISTING INDUSTRIAL BUILDING IN AN I-L ZONE AS FOLLOWS:**

**THE SPECIAL PERMIT IS APPROVED.**

**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 MARCH 3, 2015.**

**THE SITE PLAN REVIEW IS CONTINUED TO MARCH 31, 2014 FOR THE FOLLOWING REASON:**

**THE APPLICANT IS TO ADDRESS THE COMMISSIONERS CONCERNS ABOUT THE APPEARANCE OF THE BUILDING, PARKING LOT DEVELOPMENT AND LANDSCAPING. THE APPLICANT SHALL CONTACT THE PLAN REVIEW COORDINATOR FOR RECOMMENDATIONS RELATING TO THE COMMISSION'S CONCERNS ON THE PARCEL OF PROPERTY AT THE ENTRANCE OF THE DOWNTOWN AREA.**

**\*\* MR. FILOTEI SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD.**

Mr. Buckley said that a motion was needed to prepare an ad for the proposed moratorium on marijuana dispensaries.

**\*\* MR. MORTON MOVED AUTHORIZED MR. BUCKLEY TO PREPARE AN AD FOR THE PROPOSED MORATORIUM ON MARIJUANA DISPENSARIES.  
\*\* MR. WALKER SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

Atty. Schmidt said that he wished to inform the Commission that he has been working on negotiation a contract to purchase the former Boys and Girls Club on Madison. He said that this sale may appear on the agenda of the next meeting as an 8-24 item.

**MINUTES.**

There were no minutes to approve at this time.

**ADJOURNMENT.**

**\*\* MR. FEDELE MOVED TO ADJOURN.**

**\*\* MR. TIAGO SECONDED.**

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

The meeting adjourned at 9:13 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services