



**PLANNING AND ZONING COMMISSION
JULY 14, 2014
MEETING MINUTES
CITY OF BRIDGEPORT**

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

ATTENDANCE: Anne Pappas Phillips, Acting Chair; Reggie Walker, Acting Secretary; Tom Fedele, Bob Filotei, Rosa J. Correa, Edgar Rodríguez, Carlos Moreno, Robert Morton (6:41 p.m.)

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

CALL TO ORDER.

Commissioner Phillips called the meeting to order at 6:30 p.m. A quorum was present. Commissioner Phillips introduced the Commissioners seated.

Mr. Buckley announced that there were two corrections to the Agenda:

(14-44) – Petition of the City of Bridgeport School Building Committee - RE: 1 LINCOLN BOULEVARD – Seeking a 2-lot subdivision and site plan review at the existing high school campus in an R-B zone

would be considered under City Business, and

(CA-4) RE: 60 MAIN STREET – Petition of 60 Main Street - Seeking to expunge one (1) condition of approval of an application approved by the Planning & Zoning Commission on 09/24/07 to permit the construction of a mixed use residential and commercial complex with a marina and ferry service in an MU-W zone and coastal area

had been pulled from the agenda.

CITY BUSINESS.

(14-46) 8-24 Referral – Petition of Office of Planning & Economic Development (OPED) – Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of four (4) city-owned parcels. (145-147 Newfield Ave, 294 Pixlee Pl, 587 Brooks St., 157 William St.)

Mr. Max Perez from OPED came forward and greeted the Commission.

Commissioner Filotei asked if the parcels were blighted. Mr. Perez replied that they were. Commissioner Walker asked if these parcels could be offered to Habitat for Humanity. Mr. Perez said that the City was now in the process of changing the process for selling City owned properties.

Commissioner Phillips asked if there was anyone present who was in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose this application. Hearing none, Commissioner Phillips closed the public hearing on the 8-24 referral to the City Council.

Commissioner Phillips then asked for a moment of silence in memory of Scott Powley, a former Planning and Zoning Commissioner who had recently passed away.

(14-44) – Petition of the City of Bridgeport School Building Committee - RE: 1 LINCOLN BOULEVARD – Seeking a 2-lot subdivision and site plan review at the existing high school campus in an R-B zone.

Mr. Robert Pippin and another member of the School Building Committee came forward and stated that he was representing the School Building Committee. Mr. Pippin then turned in green mailing cards.

The request is for a sub-division on the school property. Mr. Pippin then displayed an aerial view of the parcels and indicated where the parcels were on the map. The request would place Kennedy Stadium and the tennis courts under the jurisdiction of the Parks and Recreation rather than the BOE. The remaining parcels would still be managed by the BOE.

Commissioner Morton joined the meeting at 6:41 p.m.

Mr. Pippin explained that in 1965 The Board of Parks approved a resolution about this and now it is recorded in the land records.

The grant dollars were used to renovate the existing Central High school. If the subdivision does not occur, then the money would have to be spent on the entire parcel. A City engineer came forward and explained that Kennedy Stadium had been renovated in 2001.

Commissioner Phillips asked about the baseball field. Mr. Pippin said that the field would remain as BOE property.

Commissioner Phillips asked if there was anyone present who was in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose this application. Hearing none, Commissioner Phillips closed the public hearing on 1 Lincoln Boulevard.

D1- (14-30) RE: 4106 MAIN STREET – Petition of Syedbuali Naqvi - Seeking a special permit and a site plan review to permit the establishment of a hookah lounge in conjunction with the existing retail tobacco business in an OR-R zone.

Mr. Naqvi came forward and handed in the green mailing cards. He then handed out sample packages of hookah flavors such as strawberry and watermelon. He explained that there was no tobacco or nicotine involved. The smoking material is glycerin, sugar and molasses. He then displayed a hookah. The hookah uses only water and a coal. The smoke emitted from the hookah is water vapor and sugar.

Half of his shop would be dedicated to hookah smoking. The other half would have products for sale, including tobacco products, but no food. Mr. Naqvi handed in a list containing approximately 100 names, indicating that people were interested in having a hookah lounge.

Commissioner Phillips asked about the details of the hookah equipment. Mr. Naqvi explained that hookah lounges are places to relax. There will be the hookah packages, soft drinks, and water for sale. He said that the important to keep it an upscale location.

Commissioner Morton asked if patrons would be allowed to bring their own alcoholic beverages. Mr. Naqvi stated that he was allowed by law to allow patrons to bring their own beverages. Commissioner Phillips asked if he would accept no alcohol as a condition of approval. Mr. Naqvi said that he would.

He stated that he would be dividing his current shop and putting in approximately 10 tables. The customers would be paying for a two hour time slot.

When asked about the parking, Mr. Naqvi explained that the nearby shops closed at 5 or 6 p.m. and hookah lounges don't start getting busy until 7 p.m.

Commissioner Morton asked if there would be food for sale. Mr. Naqvi said that he would not have food for sale but that patrons could bring their own food.

Commissioner Morton asked about the air purifiers. Mr. Naqvi described the purifiers for the Commission.

Commissioner Morton asked Mr. Naqvi if he would accept 18 and older as a condition of acceptance. Mr. Naqvi said that he would. The discussion then moved to the smoke emitted by the equipment and the smoke eaters.

Commissioner Phillips asked if there was anyone present who was in favor of the application.

Mr. Tom Fleishner, the landlord, came forward to speak in favor of the lounge. He said that he had spent some time asking Mr. Naqvi about the hookah lounge and felt that this would not be a problem.

Commissioner Phillips then asked if there was anyone present who wished to oppose this application.

Ms. Maria Prior came forward and said that she was speaking for several neighbors. She said that in Fairfield there were problems, and in Milford the hookah lounge was closed down. She pointed out that the college students were only in residence for four years, but the hookah lounge would affect those who live nearby.

Stat Representative Anthony Musto, who represents Trumbull came forward and said that there were a number of issues, such as the fact that there is no close time for the lounge. He said that while there will be no alcohol sold, there will be alcohol there. He said that it was located right next to a residential area.

Council Member Michelle Lyons came forward and read a letter from Sacred Heart University into the record.

July 14, 2014

Dennis Buckley
Zoning Administrator
Zoning Department
City Hall, 45 Lyon Terrace, Rm. 210
Bridgeport, CT 06604

Dear Mr. Buckley,

The administration at Sacred Heart University would like to express its concern about the proposed hookah lounge to be located at 4601 Main Street near the University's Fairfield campus. Scientific research has shown that, despite protestations to the contrary, smoke from a hookah contains many of the same harmful and carcinogenic components as cigarette smoke. In addition, secondhand smoke from a hookah is not less harmful than secondhand cigarette smoke.

Research has also shown that hookah smoking is growing increasingly popular among young people – especially high school and college students. As a University that cares for its students and strongly discourages smoking of any kind on its campus, we find those statistics extremely concerning. We fear that the location of a hookah lounge so close to campus will provide a temptation to the

students who may be misinformed about the potential harm to their health that smoking hookah creates.

We hope that you will vote this proposal down as we believe it is in the best interest of the University community and other area residents not to have a hookah lounge located in the North End. Thank you for your consideration.

Sincerely

Michael I. Iannazzi
Vice President for Marketing and Communications

Council Member Lyons said that research was showing that hookah smoking was addicting. She said that the administration of Sacred Heart was concerned about this. She pointed out that they were selling tobacco at this location already. The university administration was also concerned about the location being so close to the campus. Council Member Lyons pointed out that there were school children that would be walking back and forth. She said that she would continue to fight to have good businesses in the area.

Mr. Tom Lyons came forward and said that there were concerns about the alcohol. He said that the police had concerns about this since it was an after hours business.

Commissioner Phillips asked for a show of hands for those in favor. There were five in favor, and nine against.

A neighbor came forward to say that she was against this and her parents own a shop in the area. She said that there were people throw lottery tickets all over the parking lot, cigarette posters all over the place already. This was already attracting the wrong type of customers.

In response, Mr. Naqvi came forward and pointed out that his business was legal. He reminded everyone that the other businesses closed before his opened. Mr. Naqvi then pointed out that the customers would be university students and wanted to know why adults over the age of 18 were the "wrong" crowd.

Commissioner Phillips then closed the hearing on 4106 Main Street.

**D-2 (14-31) RE: 493-503 & 487-489 NORTH AVENUE & 308 LINDLEY STREET –
Petition of Cantina Hospitality, LLC - Seeking a special permit and a site plan review to
permit the construction of a fast food restaurant with a drive-thru facility in an I-L zone.**

Atty. Charles Willinger, of Willinger, Willinger, and Bucci came forward. He turned in the green mailing receipt. He said that his client was under contract to purchase a parcel in order to build a fast food restaurant.

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Atty. Willinger pointed out that the property was in a light industrial zone. The property has never been used for industrial purposes. There are no variances needed for this project. The applicants have numerous kinds of restaurants such as Taco Bells and Applebys in the State.

He said that the parcel had been used for retail since the 1940's and listed a number of automotive businesses that were located there. Atty. Willinger said that the architect and the owners were present.

Atty. Willinger then listed the various storm water measures that would be taken, including installing catch basins and retaining the storm water on site.

He then reviewed the requests from the City Engineer. He went on to describe the traffic flow. Commissioner Phillips had several questions about the right and left turns signs. Atty. Willinger then indicated on the site plan where these would be located.

Atty. Willinger then reviewed the details of the building, the parking and the landscaping with the Commissioners.

Commissioner Phillips asked if there were other fast food establishments in the area. Atty. Willinger said that there were several, including Popeye's, McDonalds, Subway and a few others.

Atty. Willinger went on to review the WPCA requirements along with the other requirements including the signage, curb cuts and traffic analysis. He pointed out that the traffic study had already been approved by the City Engineer.

Mr. Kermit Black came forward and said that he was a registered engineer with the State of Connecticut. He then gave an overview of the various traffic counts, how they were collected and the findings. He also reviewed the on site cuing of the cars in the drive thru. Commissioner Morton asked how many cars would be in cueing line at one time. Mr. Black said that it would be six. Commissioner Phillips asked how long it would take a vehicle to circulate from the time a customer ordered to the time the order was delivered. Atty. Willinger said that the staff was looking it up.

Atty. Willinger said that all of the various agencies had reviewed the plans and approves.

Mr. Manny Silva of Rose -Tiso came forward and said that there was a very short period of time to assemble the food.

Atty. Willinger said that Mr. Guerrero had stated in his report that the parcel was better used for industrial uses. However, Atty. Willinger pointed out that none of the various businesses that are located at the site are industrial. They are all retail. He distributed a map of the area, showing the various neighboring parcels with the types of businesses marked on it.

Another concern was that people would use the driveway as a short cut to Eversley Avenue. Atty. Willinger pointed out that there was no reason for people to do this.

The design of the restaurant was for drive through rather than eat in. Atty. Willinger said that most of the traffic in the area was vehicular, not pedestrian.

Mr. Guerrero said in his reported that there were deficits with the landscaping. Atty. Willinger said that he would address this. One thing that Mr. Guerrero's report did say was that there would be no negative impact on the neighborhood.

Atty. Willinger then distributed copies of Mr. Guevara's report for Popeye's restaurant where he recommended that the fast food restaurant be approved. The following was highlighted:

“The proposed restaurant is a great addition to the city and particularly to the neighborhood.

According to the Master Plan, *“The objective is reducing the total amount of Industrial zoned property in the city, while increasing the productivity of Utilized industrial land.”* This means, the proposed fast food restaurant may be a good step toward this goal.”

Atty. Willinger went on to list a number of reasons why they application met the site plan requirements. Atty. Willinger proceeded to give a detailed review of site plan review requirements 14-2-5. He pointed out that the landscaping was increased from 0% to 26%. There will be no environmental impact.

Atty. Willinger said that the owner of the property had sent a letter because she was not able to attend the meeting. He then read the following into the record:

To Whom it May Concern:

This statement is in support of the proposed Site Plan and Special Permit application for the construction of a Taco Bell restaurant at property known as 487-493 North Avenue and 308 Lindley Street, Bridgeport.

This property has been in our family for many years. It has historically been used as a used car lot and/or car repair facility. Most recently, for many years, it was rented to the adjacent new car dealer, Merriam Motors/Key Motors. Since Merriam Motors/Key Motors closed a number of years ago, we have had the property on the market for sale. Most of the interest came from used car dealers, but they were unable to purchase the property.

The current purchaser has already spent substantial time and money analyzing the property for its proposed use as a Taco Bell. For use as Taco Bell, the property

will require major improvements. We feel that this is a great improvement for the property as compared to its historical use as a used car facility. The purchaser will be demolishing the current older building located on the site. It will provide needed jobs for the community through the construction and staffing of the restaurant. And it will improve the looks of the area and provide a needed business for local residents to patronize.

We are fully in support of the application for the Taco Bell restaurant and urge its approval

Deborah E. Brown.

Finally, this will increase the tax base, employ people and will be a plus for the community.

Commissioner Phillips asked how many people would be employed. Atty. Willinger said that there would be about 45.

Commissioner Filotei question was asked about putting it on Lindley Street. Atty. Willinger said that this had been considered but it would not work.

Commissioner Filotei asked about the traffic flow. Atty. Willinger reviewed the details of the traffic pattern with the Commission.

Commissioner Rodríguez asked about pedestrian traffic. Atty. Willinger indicated where the pedestrian access would be on Lindley Street.

Commissioner Phillips asked if there was anyone present who was in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose this application. Hearing none, Commissioner Phillips closed the public hearing on 493-503 & 487-489 North Avenue & 308 Lindley Street.

RECESS.

Commissioner Phillips announced a recess at 8:15 p.m. She called the meeting back to order at 8:26 p.m.

(14-40) RE: 43 NORTH AVENUE – Petition of Brookside Motors, LLC, (d/b/a BMW of Bridgeport) - Seeking a coastal site plan review to permit the construction of a 1-story mechanical shed addition to the existing car detail building; two (2) concrete pads and 24' x 24' catch basin to used in conjunction with the existing car dealership in an I-L zone and coastal area.

Mr. Chris DeAngelis came forward and gave a brief overview of the application. He explained that there was a car wash installed in the dealership in 2008 and the application before the Commissioner tonight is to make one of the two car bays into an automatic car wash.

The owner is limited to the existing space and the wash is custom built to fit in. The shed is for the mechanical equipment. This would result in losing two parking spaces.

Commissioner Phillips asked if there was a change to the access. Mr. DeAngelis said there was no change.

Commissioner Phillips said that the WPCA had some comments about the wash water. Mr. DeAngelis explained that there was already a separator on site. Commissioner Phillips wished to know if it was large enough to handle the additional water. Mr. DeAngelis said that it was. The water is reused until it is too dirty and then filtered out.

Mr. DeAngelis then reviewed the interior plan and indicated where the catch basins were. He pointed out that comments had been received from the Engineering Department.

Mr. DeAngelis said that the building was above the flood zone. He pointed out Comment 5-C regarding the disturbed area. He said that the area was currently two parking spaces.

Commissioner Phillips asked if there was anyone present who was in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose this application. Hearing none, Commissioner Phillips closed the public hearing on 43 North Avenue.

Commissioner Walker then said that the Office of Long Island Management had no comment.

(14-41) RE: 665 GILMAN STREET – Petition of James Lancaster - Seeking to establish an accessory apartment in the existing single-family dwelling in an A-A zone.

Mr. James Lancaster came forward and turned in the green mailing receipts. He said that he was the owner and applicant. He said that he has lived there for 16 years. When he purchased the residence, the accessory apartment was already there. He said that the plans the Commission had were for the existing apartment.

Mr. Guevara made several suggestions and it was pointed out that the site plan was 16 years old. A new site plan has been created a new plan. The WPCA noted that there was no sewer system noted on the plan. Mr. Lancaster said that this was because the residence has a septic system.

Commissioner Phillips asked if this was a rental. Mr. Lancaster said that his son and his four year old granddaughter live there. There is no intention to use it as a rental. A door will be installed to provide interior access. Mr. Guevara pointed out the house looked like a two family residence. The stove in the apartment will be removed and a new bathroom will be added upstairs.

Commissioner Filotei expressed concerns about this potentially becoming a rental. Mr. Lancaster said that he wanted to put a door in to add access.

Commissioner Phillips asked if there was anyone present who was in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose this application. Hearing none, Commissioner Phillips closed the public hearing on 665 Gilman Street.

(14-42) RE: 141 ANCHORAGE DRIVE – Petition of Land Tech - Seeking a coastal site plan review to permit the construction of the existing stone wall/bulkhead and recreational dock in an R-AA zone and coastal area.

Mr. Tom Ryder of Westport came forward and turned in the green mailing receipts. He said that the property had a house on it until 2008. This has been removed and the request is to construction of a stone wall/bulkhead and replacement of a concrete pier.

Commissioner Filotei asked where the house was located. Mr. Ryder indicated where the property was on the site map, and where the driveway and turn around were located. He also showed the Commissioner where the mean high tide waterline was. He said that the entire property is in the flood zone area. There is a cobble beach on the area. There is 46 feet between the pier and the bulkhead.

An email from Mr. Gaucher stated that they had issued a Certificate of Permission for this project on May 23rd of this year.

Commissioner Phillips asked if there was anyone present who was in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose this application. Hearing none, Commissioner Phillips closed the public hearing on 141 Anchorage Drive.

(14-43) RE: 1 ATLANTIC STREET – Petition of PSEG Power Connecticut, LLC - Seeking a coastal site plan review to permit the installation of emissions control equipment at the existing electric generator facility in I-L, I-H, and DVD-WF zones and coastal area.

Mr. Thomas Regan came forward and stated that this application was for a Coastal Site Plan approval for emission control equipment at existing generator facility. There is a silo that will be 56 feet tall and will only be visible from the property. It is a foot and a half above the flood zone. The Siting Commission has already approved this.

Mr. Bill Gerardi from PSEG then reviewed the site plan and gave the details of the process for the Commission.

Commissioner Walker asked why the company was installing this system. Mr. Regan said that it was because the company needs to meet new emissions regulations. The new system will allow the plant to continue to operate efficiently.

Mr. Buckley then read the letter from Mr. Gaucher stating that there would be no impact on the coastal area into the record.

Commissioner Phillips asked how much electricity was generated from the facility and if this would increase the generation rate. Mr. Gerardi said that it would be about 5 megawatts. Commissioner Phillips asked what the emission reduction would be. A representative came forward and said that the facility emission are being regulated for hydrochloric acid and the system would reduce the emissions even further. The current amount of hydrochloric acid is very small and the emissions control will give the facility a larger margin to handle the emission. The material is called Fly Ash and has been used for positive recycling in cement and other products.

Commissioner Phillips asked if there was anyone present who was in favor of the application. No one came forward. She then asked if there was anyone present who wished to oppose this application. Hearing none, Commissioner Phillips closed the public hearing on 1 Atlantic Street.

Commissioner Phillips closed the public hearing portion of the meeting at 9:13 p.m.

DECISION SESSION.

(14-46) 8-24 Referral – Petition of Office of Planning & Economic Development (OPED) – Requesting under Sec. 8-24 of the CT. General Statute a favorable recommendation for the sale of four (4) city-owned parcels. (145-147 Newfield Ave, 294 Pixlee Pl, 587 Brooks St., 157 William St.)

**** COMMISSIONER WALKER MOVED TO GIVE A FAVORABLE RECOMMENDATION TO THE CITY COUNCIL REGARDING ITEM (14-46) 8-24 REFERRAL – PETITION OF OFFICE OF PLANNING & ECONOMIC DEVELOPMENT (OPED) – REQUESTING UNDER SEC. 8-24 OF THE CT. GENERAL STATUTE A FAVORABLE RECOMMENDATION FOR THE SALE OF FOUR (4) CITY-OWNED PARCELS. (145-147 NEWFIELD AVE, 294 PIXLEE PL, 587 BROOKS ST., 157 WILLIAM ST.).**

**** COMMISSIONER FILOTEI SECONDED.**

**** THE MOTION PASSED WITH SEVEN IN FAVOR (PHILLIPS, WALKER, FILOTEI, MORENO, FEDELE, CARREA AND RODRÍGUEZ) AND ONE ABSTENTION (MORTON).**

D1- (14-30) RE: 4106 MAIN STREET – Petition of Syedbuali Naqvi - Seeking a special permit and a site plan review to permit the establishment of a hookah lounge in conjunction with the existing retail tobacco business in an OR-R zone.

Commissioner Walker said that the applicant made a compelling case for the right to do this. Commissioner Rodríguez pointed out that the opposition was public disapproval, which was not a zoning issue.

Commissioner Correa said that there would be an impact on this very small space. She said that she had respect for the business, but is concerned about the businesses that were already established in that area. She said it would be important to look at other similar establishments. Hookah smoking is addictive.

Commissioner Rodríguez said that the area was starving in terms of businesses. He pointed out that Fairfield opened one and has just approved another one. Commissioner Phillips said that there was one next to Stefan's which has been there for a long time.

Commissioner Filotei said that the Commission did not know what the consequences would be. Commissioner Phillips said that the State has already passed legislation that would not prohibit something like this.

Commissioner Correa said there are businesses that have adverse impacts on the community and the youth. She said that a Police Commissioner had objected. She said that when the petition was presented, there were some names without last names. Commissioner Rodríguez said that Mr. Naqvi should have been more conscientious. Mr. Buckley pointed out that the document was a survey, not a petition.

**** COMMISSIONER FILOTEI MOVED TO DENY ITEM D1- (14-30) RE: 4106 MAIN STREET – PETITION OF SYEDBUALI NAQVI - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A HOOKAH LOUNGE IN CONJUNCTION WITH THE EXISTING RETAIL TOBACCO BUSINESS IN AN OR-R ZONE.**

**** COMMISSIONER CORREA SECONDED.**

**** THE MOTION FAILED TO PASS WITH THREE IN FAVOR (MORTON, MORENO AND CORREA) AND FIVE AGAINST (PHILLIPS, WALKER, FILOTEI, FEDELE AND RODRÍGUEZ).**

**** COMMISSIONER RODRÍGUEZ MOVED TO APPROVE ITEM D1- (14-30) RE: 4106 MAIN STREET – PETITION OF SYEDBUALI NAQVI - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A HOOKAH LOUNGE IN CONJUNCTION WITH THE EXISTING RETAIL TOBACCO BUSINESS IN AN OR-R ZONE WITH CONDITIONS.**

**** COMMISSIONER MORTON SECONDED.**

**** THE MOTION FAILED TO PASS DUE TO A TIE VOTE WITH FOUR IN FAVOR (PHILLIPS, RODRÍGUEZ, WALKER, AND FEDELE) AND 4 AGAINST (MORTON, CORREA, FILOTEI AND MORENO).**

Atty. Schmidt suggested that the Commission deny with prejudice. He then proposed a number of questions such as enforcing the no alcohol on site, or how to enforce under the age of 18.

**** COMMISSIONER WALKER MOVED TO DENY WITHOUT PREJUDICE ITEM D1- (14-30) RE: 4106 MAIN STREET – PETITION OF SYEDBUALI NAQVI - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A HOOKAH LOUNGE IN CONJUNCTION WITH THE EXISTING RETAIL TOBACCO BUSINESS IN AN OR-R ZONE WITH SPECIFIC QUESTIONS FOR THE APPLICANT.**

**** COMMISSIONER MORTON SECONDED.**

Commissioner Walker said that he would like to go record that everyone should have an equal right to start a new business. Commissioner Correa said that she did not approve of this particular business.

Commissioner Phillips said that there were two possibilities, such as continuing it until the next meeting. Commissioner Walker said that it meets the zoning regulation. Commissioner Correa said that the zoning regulations include the business having a negative impact on the community. Discussion followed.

**** THE MOTION TO DENY WITHOUT PREJUDICE FAILED TO PASS WITH TWO IN FAVOR (WALKER, MORTON) AND SIX OPPOSED (PHILLIPS, FILOTEI, MORENO, FEDELE, CORREA, AND RODRÍGUEZ) .**

**** COMMISSIONER WALKER MOVED TO CONTINUE D1- (14-30) RE: 4106 MAIN STREET – PETITION OF SYEDBUALI NAQVI - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE ESTABLISHMENT OF A HOOKAH LOUNGE IN CONJUNCTION WITH THE EXISTING RETAIL TOBACCO BUSINESS IN AN OR-R ZONE TO THE AUGUST 25, 2014 MEETING FOR A DECISION WITH THE FOLLOWING REQUIREMENT:**

THIS ITEM WAS CLOSED BY THE COMMISSION AND NO FURTHER VERBAL DISCUSSION WILL BE ALLOWED BY THE APPLICANT OR THE PUBLIC ON THE AUGUST 25TH PUBLIC HEARING. HOWEVER, PRIOR TO THE PUBLIC HEARING THE APPLICANT SHALL ADDRESS IN WRITING THE SIX FOLLOWING CONCERNS:

- HOW IS THE WAITING LINE TO BE SUPERVISED AS NOT TO BE AN ANNOYANCE TO THE NEIGHBORING TENANTS AND RESIDENCES?**
- WHAT IS THE PROCEDURE FOR ENFORCING THE MINIMUM AGE LIMIT OF 18 YEARS OLD?**

- **HOW WOULD THE PETITIONER EFFECTIVELY ACCOMPLISH CONTROLLING OTHER SMOKING MATERIALS OTHER THAN HOOKAH?**
- **WHAT ARE THE STATISTICS ON “SMOKE EATERS” AND THEIR EFFECTIVENESS (%) IN REDUCING HARMFUL 2ND HAND SMOKE, AS WELL AS, HOW MANY WOULD BE NEEDED IN THIS PORTION OF THE BUILDING?**
- **WHAT IS THE TOTAL NUMBER OF ON-SITE PARKING SPACES AVAILABLE FOR PATRONS, TAKING IN ACCOUNT THE NUMBER OF VEHICLES AVAILABLE FOR THE OTHER TENANTS OF THIS BUILDING?**
- **HOW WILL THE PROHIBITION OF THE CONSUMPTION OF ALCOHOLIC BEVERAGES BE ENFORCED?**

FURTHERMORE, IF APPROVED, THE CLOSING TIME WILL BE MIDNIGHT SUNDAY THRU THURSDAY, AND 1A.M. FRIDAY AND SATURDAY AS NOT TO BE A DISTURBANCE TO THE ABUTTING RESIDENTIAL PROPERTIES.

**** COMMISSIONER RODRÍGUEZ SECONDED.**

**** THE MOTION TO CONTINUE WITH THE ABOVE STATED REQUIREMENTS PASSED WITH FIVE IN FAVOR (PHILLIPS, WALKER, FEDELE, MORTON AND RODRÍGUEZ) AND THREE OPPOSED (CORREA, MORENO, AND FILOTEI).**

D-2 (14-31) RE: 493-503 & 487-489 NORTH AVENUE & 308 LINDLEY STREET – Petition of Cantina Hospitality, LLC - Seeking a special permit and a site plan review to permit the construction of a fast food restaurant with a drive-thru facility in an I-L zone.

**** COMMISSIONER FEDELE MOVED TO APPROVE ITEM D-2 (14-31) RE: 493-503 & 487-489 NORTH AVENUE & 308 LINDLEY STREET – PETITION OF CANTINA HOSPITALITY, LLC - SEEKING A SPECIAL PERMIT AND A SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A FAST FOOD RESTAURANT WITH A DRIVE-THRU FACILITY IN AN I-L ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. ALL DELIVERIES SHALL BE RECEIVED AFTER 6 P.M. DAILY.**
- 2. A DIRECTIONAL BERM AND SIGN SHALL BE ERECTED TO ENSURE PATRONS EXITING THE SITE ON NORTH AVENUE CAN ONLY TURN RIGHT.**

3. THE REFUSE DISPOSAL AREA SHALL BE LARGE ENOUGH TO CONCEAL ALL CONTAINERS WITH A SCREEN-TYPE PRIVACY FENCE, NO LESS THAN 6' IN HEIGHT WITH A SUITABLE GATE OPENING.

4. THE PROPOSED POLE SIGN SHALL COMPLY WITH SEC. 11-7J OF THE ZONING REGULATIONS.

5. ALL CONSUMPTION OF FOOD AND BEVERAGES SHALL BE WITHIN THE CONFINES OF THE BUILDING.

6. THE PETITIONER SHALL COMPLY WITH ALL OF THE RECOMMENDATIONS OF THE CITY ENGINEER IN HIS LETTER DATED 6/17/14.

FOR THE FOLLOWING REASONS:

1. THE APPLICATION AS PRESENTED AND APPROVED, COMPLIES WITH THE SITE PLAN REVIEW STANDARD OF SEC. 14-2-2 AND THE SPECIAL PERMIT STANDARDS OF SEC. 14-4-4 OF THE ZONING REGULATIONS.

2. THE PROJECT, AS APPROVED, ALSO COMPLIES WITH THE MASTER PLAN OF CONSERVATION AND DEVELOPMENT.

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 MONDAY, JULY 21, 2015.

**** COMMISSIONER CORREA SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

(14-40) RE: 43 NORTH AVENUE – Petition of Brookside Motors, LLC, (d/b/a BMW of Bridgeport) - Seeking a coastal site plan review to permit the construction of a 1-story mechanical shed addition to the existing car detail building; two (2) concrete pads and 24' x 24' catch basin to used in conjunction with the existing car dealership in an I-L zone and coastal area.

**** COMMISSIONER WALKER MOVED TO APPROVE ITEM (14-40) RE: 43 NORTH AVENUE – PETITION OF BROOKSIDE MOTORS, LLC, (D/B/A BMW OF BRIDGEPORT) - SEEKING A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF A 1-STORY MECHANICAL SHED ADDITION TO THE EXISTING CAR DETAIL BUILDING; TWO (2) CONCRETE PADS AND 24' X 24' CATCH BASIN TO USED IN CONJUNCTION WITH THE EXISTING CAR**

DEALERSHIP IN AN I-L ZONE AND COASTAL AREA FOR THE FOLLOWING REASON:

THE PROJECT, AS APPROVED, WILL HAVE NO UNACCEPTABLE ADVERSE IMPACT ON THE COASTAL AREA.

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 MONDAY, JULY 21, 2015.

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

(14-41) RE: 665 GILMAN STREET – Petition of James Lancaster - Seeking to establish an accessory apartment in the existing single-family dwelling in an A-A zone.

A discussion followed regarding the fact that if Mr. Lancaster removed the kitchen he would not need to come to the Commission.

**** COMMISSIONER MORTON MOVED TO CONTINUE ITEM (14-41) RE: 665 GILMAN STREET – PETITION OF JAMES LANCASTER - SEEKING TO ESTABLISH AN ACCESSORY APARTMENT IN THE EXISTING SINGLE-FAMILY DWELLING IN AN A-A ZONE TO AUGUST 25, 2014.
** COMMISSIONER WALKER SECONDED.
** THE MOTION PASSED UNANIMOUSLY.**

(14-42) RE: 141 ANCHORAGE DRIVE – Petition of Land Tech - Seeking a coastal site plan review to permit the construction of the existing stone wall/bulkhead and recreational dock in an R-AA zone and coastal area.

**** COMMISSIONER RODRÍGUEZ MOVED TO APPROVE ITEM (14-42) RE: 141 ANCHORAGE DRIVE – PETITION OF LAND TECH - SEEKING A COASTAL SITE PLAN REVIEW TO PERMIT THE CONSTRUCTION OF THE EXISTING STONE WALL/BULKHEAD AND RECREATIONAL DOCK IN AN R-AA ZONE AND COASTAL AREA FOR THE FOLLOWING REASON:**

THE GRANTING OF THIS PETITION SHALL HAVE NO UNACCEPTABLE ADVERSE IMPACT ON THE COASTAL AREA.

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 MONDAY, JULY 21, 2015.

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

(14-43) RE: 1 ATLANTIC STREET – Petition of PSEG Power Connecticut, LLC - Seeking a coastal site plan review to permit the installation of emissions control equipment at the existing electric generator facility in I-L, I-H, and DVD-WF zones and coastal area.

**** COMMISSIONER WALKER MOVED TO APPROVE ITEM (14-43) RE: 1 ATLANTIC STREET – PETITION OF PSEG POWER CONNECTICUT, LLC - SEEKING A COASTAL SITE PLAN REVIEW TO PERMIT THE INSTALLATION OF EMISSIONS CONTROL EQUIPMENT AT THE EXISTING ELECTRIC GENERATOR FACILITY IN I-L, I-H, AND DVD-WF ZONES AND COASTAL AREA FOR THE FOLLOWING REASONS:**

- 1. THE PROJECT, AS PRESENTED, COMPLIES WITH MANDATORY FEDERAL GUIDELINES.**
- 2. THE GRANTING OF THIS PETITION SHALL HAVE NO ADVERSE IMPACT ON THE COASTAL AREA.**

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 MONDAY, JULY 21, 2015.

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

(14-44) – Petition of the City of Bridgeport School Building Committee - RE: 1 LINCOLN BOULEVARD – Seeking a 2-lot subdivision and site plan review at the existing high school campus in an R-B zone.

**** COMMISSIONER RODRÍGUEZ MOVED TO APPROVE ITEM (14-44) – PETITION OF THE CITY OF BRIDGEPORT SCHOOL BUILDING COMMITTEE - RE: 1 LINCOLN BOULEVARD – SEEKING A 2-LOT SUBDIVISION AND SITE PLAN REVIEW AT THE EXISTING HIGH SCHOOL CAMPUS IN AN R-B ZONE FOR THE FOLLOWING REASON:**

THE GRANTING OF THIS PETITION SHALL HAVE NO UNACCEPTABLE ADVERSE IMPACT ON THE COASTAL AREA.

THE EXPIRATION DATE OF THE COASTAL SITE PLAN REVIEW, AS REQUIRED UNDER SEC. 14-3-4 OF THE ZONING REGULATIONS OF THE 2015.

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

**** COMMISSIONER RODRÍGUEZ MOVED TO GRANT ITEM (14-44) – PETITION OF THE CITY OF BRIDGEPORT SCHOOL BUILDING COMMITTEE - RE: 1 LINCOLN BOULEVARD – SEEKING A 2-LOT SUBDIVISION AND SITE PLAN REVIEW AT THE EXISTING HIGH SCHOOL CAMPUS IN AN R-B ZONE WITH THE FOLLOWING CONDITION:**

THE APPLICANT SHALL FILE AN A-2 SURVEY MAP ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT.

FOR THE FOLLOWING REASON:

THE SUBDIVISION IS NECESSARY TO ENABLE THE CITY TO COMPLY WITH THE FEDERAL GRANT REQUIREMENTS FOR THE RENOVATIONS TO THE CENTRAL HIGH SCHOOL BUILDING AND CAMPUS.

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

CONSENT AGENDA.

CA-1 RE: 1041 MADISON AVENUE – Petition of Grand Garage, LLC - Seeking under Sec. 14-54 of the CT. General Statutes an amended certificate of approval of location for a DMV used car dealer’s license under new ownership and continue the display, sale and repair of used motor vehicles in an OR-G zone.

**** COMMISSIONER RODRÍGUEZ MOVED TO GRANT ITEM CA-1 RE: 1041 MADISON AVENUE – PETITION OF GRAND GARAGE, LLC - SEEKING UNDER SEC. 14-54 OF THE CT. GENERAL STATUTES AN AMENDED CERTIFICATE OF APPROVAL OF LOCATION FOR A DMV USED CAR DEALER’S LICENSE UNDER NEW OWNERSHIP AND CONTINUE THE DISPLAY, SALE AND REPAIR OF USED MOTOR VEHICLES IN AN OR-G ZONE ACCORDING TO THE CONDITIONS LISTED ON “D” FOR THE FOLLOWING REASON:**

THE PERMITTED USE HAS BEEN A MOTOR VEHICLE FACILITY SINCE 1956.

**** COMMISSIONER WALKER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

CA-2 RE: 1800 (aka 1782-1806) COMMERCE DRIVE – Seeking to provide a Bond in place of site improvements, which will allow the petitioner 1 year to complete all required work.

This item was pulled from the consent agenda. Mr. Buckley said that the applicant had paved the area without approval, and now wants to put an additional garage. The Commissioners decided that a full application should be submitted for approval.

CA-3 RE: 1380 SEAVIEW AVENUE – Petition of Cheddi Dillon - Seeking under Sec. 14-54 of the CT General Statutes an amended certificate approval of location for a used car dealer’s license under new ownership in an R-C zone.

**** COMMISSIONER RODRÍGUEZ MOVED TO GRANT ITEM CA-3 RE: 1380 SEAVIEW AVENUE – PETITION OF CHEDDI DILLON - SEEKING UNDER SEC. 14-54 OF THE CT GENERAL STATUTES AN AMENDED CERTIFICATE APPROVAL OF LOCATION FOR A USED CAR DEALER’S LICENSE UNDER NEW OWNERSHIP IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. DMV CONDITIONS “D”**
- 2. ALL OF THE ZONING BOARD OF APPEALS CONDITIONS OF 06/02/10 (ENCLOSED) ALSO APPLY TO THIS APPROVAL.**

FOR THE FOLLOWING REASON:

THE PERMITTED USE HAS BEEN A MOTOR VEHICLE FACILITY SINCE THE 1950’S.

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

(CA-4) RE: 60 MAIN STREET – Petition of 60 Main Street - Seeking to expunge one (1) condition of approval of an application approved by the Planning & Zoning Commission on 09/24/07 to permit the construction of a mixed use residential and commercial complex with a marina and ferry service in an MU-W zone and coastal area.

This item was pulled from the consent agenda and a full application will be submitted to the Commission.

APPROVAL OF MINUTES.

March 31, 2014.

- ** COMMISSIONER WALKER MOVED THE MINUTES OF MARCH 31, 2014.**
- ** COMMISSIONER RODRÍGUEZ SECONDED.**
- ** THE MOTION TO APPROVE THE MINUTES OF MARCH 31, 2014 AS SUBMITTED PASSED WITH SEVEN IN FAVOR (PHILLIPS, WALKER, FILOTEI, MORENO, FEDELE, RODRÍGUEZ, AND MORTON) AND ONE ABSTENTION (CORREA).**

May 14, 2014.

- ** COMMISSIONER MORTON MOVED THE MINUTES OF MAY 14, 2014.**
- ** COMMISSIONER CORREA SECONDED.**
- ** THE MOTION TO APPROVE THE MINUTES OF MAY 14, 2014 AS SUBMITTED PASSED UNANIMOUSLY.**

May 22, 2014.

- ** COMMISSIONER RODRÍGUEZ MOVED THE MINUTES OF MAY 22, 2014.**
- ** COMMISSIONER FEDELE SECONDED.**
- ** THE MOTION TO APPROVE THE MINUTES OF MAY 22, 2014 AS SUBMITTED PASSED UNANIMOUSLY.**

OTHER BUSINESS.

- ** COMMISSIONER FILOTEI MOVED TO PUT ON A ONE YEAR MORATORIUM ON HOOKAH LOUNGES.**
- ** COMMISSIONER CORREA SECONDED.**
- ** THE MOTION FAILED TO PASS WITH THREE IN FAVOR (FILOTEI, CORREA AND MORENO) AND FIVE AGAINST (RODRÍGUEZ, PHILLIPS, WALKER, MORTON, AND FEDELE)**

ADJOURNMENT.

- ** COMMISSIONER FEDELE MOVED TO ADJOURN.**
- ** COMMISSIONER RODRÍGUEZ SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 10:10 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

City of Bridgeport
Planning and Zoning Commission
Regular Meeting
July 14, 2014