



ZONING BOARD OF APPEALS  
FEBRUARY 11, 2011  
REGULAR MEETING MINUTES  
CITY OF BRIDGEPORT

45 Lyon Terrace  
Bridgeport, CT 06604  
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**ATTENDANCE:** Michael Piccirillo, Chair; Linda Grace, Secretary;  
John Carolan, Robin Shepard

**STAFF:** Dennis Buckley, Zoning Official; Paul Boucher, Assistant Zoning  
Official, Atty. Ed Schmidt, Associate City Attorney; Diego  
Guevara, Design Review Coordinator

**CALL TO ORDER.**

Chairman Piccirillo called the meeting to order at 6:10 p.m. A quorum was present. Chairman Piccirillo introduced the Commissioners seated. He announced that there were only four Commissioners seated and asked if any of the applicants wanted to defer since one opposing vote would result in the application being denied.

**#1 - 146 ANDOVER STREET – Bridgeport Biodiesel - Seeking variances of the front setback requirement, height requirement, and landscaping requirements under Sec. 7-1-3 to permit the installation of 12 (twelve) storage containers ranging from 15’ to 38’ in height along the street frontage of the existing industrial building in a I-L zone.**

Atty. Raymond Rizio came forward and greeted the Commission. He said that the property had previously been approved by Planning and Zoning in 2009. He said that the applicant was not changing the use of the property. He outlined how the biodiesel process works. Mr. Malloy has relocated the Royal Flush display toilets and turned the area into administrative offices. This change will result in a reduction of traffic on the street. The Fire Marshal is requiring that the outside storage tank be at least five feet away from the building. This would eliminate the set back and requires a variance. It also creates a hardship. The tanks need to be located near the processing equipment because all the pipes go through the building. The trucks come into the building to load and unload and the access to Interstate 95 is nearby.

Atty. Rizio indicated where the tanks would be on a site plan and gave the details of the fencing that was planned. The tanks would be located on existing asphalt and would be

fenced to keep the public away. Arbor Vitae shrubbery could be planted around the perimeter of the tanks and once they reach 8 to 10 feet tall, they would screen the tanks. Atty. Rizio then explained that the building has no windows on that side of the building. He said that all the doors and windows face Industrial Park. He reminded everyone that this was an industrial area.

Atty. Rizio said that his client had originally operated out of New York but was now located in Bridgeport. Bridgeport Biodiesel just won a home heating oil contract connected to the Superbowl.

Mr. Piccirillo asked if there was any waste product at all. Atty. Rizio said that the product was very safe.

Mr. Brent Baker, of Tri-State Diesel came forward and greeted the Commissioners. He reviewed the process and said that this was the most effective to replace home heating oil and diesel fuel. The oil and methanol become the biodiesel, along with the production of glycerin, which can be used in a variety of ways. Biodiesel is not combustible. The facility would gradually increase its output to three trucks a day.

Mr. Piccirillo asked if one of the tanks would contain sulphuric acid. Mr. Baker said yes. Mr. Piccirillo asked why sulphuric acid was used. Mr. Baker replied that it neutralized the acidity of the catalyst. Atty. Rizio then outline the steps from the original delivery to the reloading of the trucks. He pointed out that this was not for retail, but industrial processing.

Ms. Grace asked how the material would be transferred into the building. Atty. Rizio explained that all the contact areas would be closed and reminded everyone that the Planning and Zoning Commission had already approved the interior design. However, now the Fire Marshal now wants the tanks to be independent and stored in a separate building.

Mr. Baker was asked where the tanks were currently located. He replied they were in the building, but smaller. He needs more capacity.

Mr. Piccirillo had several questions about where the fuel would be distributed Mr. Baker said that the fuel would be distributed locally and hope to employ local residents.

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

Mr. Bill Coleman of the Office of Planning and Development came forward to speak in support of the application and said that this could be one way to make Bridgeport greener.

Mr. Paul Timpanelli, of the Greater Bridgeport Business Council came forward to speak in favor of the application. He pointed out that this would be part of a new technology park, it would be revenue generating and make Bridgeport greener.

A Bridgeport resident came forward and said that he was in support of the application and that this business would create jobs. He said that he supported the business.

Mr. Piccirillo said that Mr. David Kooris, the Director of Planning and Development, supported this application.

Mr. Bill Malone came forward to say that this would clean up the site and he was in favor of the expansion. He also added that it would clean up the air and create jobs.

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

In conclusion, Atty. Rizio came forward to remind everyone that this was not a new use, but an expansion. He pointed out that the location under discussion was the only place that the tanks could be located. With the Fire Marshal requiring the tanks be five feet away from the building, variance are required for the setbacks and the tank heights.

Mr. Piccirillo then closed the public hearing on 146 Andover Street.

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

Mr. Charles Jones, of New Haven, a registered architect, came forward and greeted the Commission. He submitted a new site plan to be entered into the record. Mr. Jones then explained that the request was for the new landscaping requirements and parking requirements be waived. Mr. Jones reviewed the changes in the revised site plan and indicated that the entrance driveway would be from Walter Street and the vehicles would be exiting onto East Main. The new plans have paved sidewalks to the doors and the addresses can be reflective of the location. There will be three parking spaces inside, and these could be made into four by making two of the spaces smaller. The handicapped access will be in the rear of the building.

Mr. Piccirillo asked if there would be a key for the back entrance. Mr. Jones said yes.

Mr. Jones then reviewed the details of the second and third floor bedrooms. Diego requested a sign above the awnings and this was done.

Mr. Piccirillo pointed out that the application still needed three variances. Mr. Jones agreed.

Mr. Piccirillo asked if the access to the apartments would be separate from the retail area. Mr. Jones said that the entrance was totally separate.

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

Mr. Piccirillo then said that there was a letter of support from Mr. Kooris, the Office of Planning and Economic Development, in support of this application. It is consistent with the neighborhood.

Mr. Piccirillo then commented that this was an improvement over the previous plan.

He asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the public hearing on 704, 716, 724 East Main Street & 30 Walter Street.

**C-2 (#7) RE: 194 WILMOT AVENUE – Mostafa Ardouni - Seeking a variance of the maximum height requirement under Sec. 11-8-3 to legalize the existing 6' high fence in an R-BB zone.**

Kamal Ardouni came forward to speak for Mr. Ardouni. Mr. Piccirillo pointed out that the fence posts extended too far. Kamal said that the fence had been moved. The four posts in the ground are not part of the fence.

Ms. Grace asked if the fence would prevent trash from blowing around. She was it would. Ms. Grace said that she would like to see something on that lot.

Mr. Piccirillo asked if there was anyone present who wished to speak in favor of the application. No one came forward. He asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the public hearing on 194 Wilmot Avenue.

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**# 2 - RE: 329 CENTRAL AVENUE & 343 – 369 JEFFERSON STREET – BOOTCAMP FARMS, LLC - Seeking a variance of the required front setback requirement of Sec. 8-3-3, and also seeking a variance of the minimum on-site parking requirement of Sec. 11-1-2, and a variance of the maximum height and required landscaping of walls/fences of Sec. 11-8-3b(i)**

Mr. Sean Richardson, the COO of Bootcamp Farms and Mr. Roger Brilley, the architect, came forward to address the Commission. The mailing receipts were turned in.

Mr. Brilley then gave a brief overview of the three variances that were being requested. The setbacks, parking requirements, and a variance for the height of the building. The setback will require a smaller building, the parking can be addressed by controlling the number of employees.

Mr. Piccirillo asked if there would be retail on the site. Mr. Richardson said that there would be retail, but not at that site. It would be near the community center. Mr. Piccirillo asked where that would be. Mr. Richardson said that it would be near the former Mount Trashmore site.

Mr. Buckley commented that this was Phase 1 of a two part project. Mr. Piccirillo agreed and said that parking would be addressed in Phase 2. Mr. Piccirillo asked if there would be between 4 and 5 employees. Mr. Richardson said that this was so.

Mr. Piccirillo asked for clarification on the issue of the walls and the fences. Mr. Brilley said that he was not sure what the issue was.

Mr. Buckley said that Mr. Guevara, the City's Design Review Coordinator, could clarify this issue. He added that it was not unusual for plans to be submitted and then during the review process, items that had not been address will be discovered. Mr. Piccirillo asked Mr. Guevara, the City's Design Review Coordinator, to come forward regarding the height variance on the wall. Mr. Guevara came forward and reviewed the details of the retaining wall, which is about a foot in height on one end and four feet in height at the other. There are site line issues. The applicant said that he was not aware of that and that they would be in compliance with this requirement.

Mr. Piccirillo asked if sidewalks would be installed. He was told there were none there now. Discussion followed. It was pointed out that on Trowel Street there would be a sidewalk to allow pedestrians to cross the street. There would be no additional issues with the landscaping.

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

Mr. Piccirillo then said that there was a letter of support from Mr. Kooris, the Office of Planning and Economic Development, in support of this application.

He asked if there was anyone present who wished to speak against the application.

Denis and Maria Escarate of 333 Jefferson Street came forward. He said that his house was near the site and he had received the letter from Zoning. Mr. Escarate was concerned that the lights would shine in their bedroom window. He indicated where the lights would be and where his house was located. Mr. Piccirillo said that the Commissioners could help with that.

Mr. Escarate said that the applicant would be putting a large generator near his driveway. Mr. Piccirillo said that the generator should not be noisy and pointed out that there would only be four or five employees, so it should not affect the Escarate's house. Mr. Escarate also expressed concerns about mice being on the property since the applicant would be growing vegetables. Mr. Piccirillo said that the Commission would try to address these issues.

Mr. Richardson came forward and explained that the area had been cleaned up at great expense. He added he appreciated Mr. Escarate's concerns. Before the clean up was done, there was a blighted lot where Mr. Escarate was running a illegal paintball business on the week-ends. Mr. Richardson said that Mr. Escarate had expressed his disappointment when they first arrived because of the paint ball business on their lot.

With respect to the lighting and concerns about mice, Mr. Richardson said he could work on the lighting issue, but could not speak to the mouse issue.

Mr. Richardson pointed out that when Mr. Escarate constructed his driveway, he encroached on their property. He reminded everyone that he had every right to demand that the driveway be demolished on their portion of the property. However, Mr. Richardson said that in the spirit of neighborliness, he was willing to overlook this encroachment on their property. This should indicate their good faith.

Mr. Richardson also said that the generator was purely a back up generator for emergency use only. In this part of the country over the last few years, there have been instances where structures have collapsed due to the weight of the snow. The greenhouses must be heated to a minimum of 68 degrees. The generator would only be used if the facility lost power in a snow storm.

Mr. Piccirillo closed the public hearing on 329 Central Avenue & 343 – 369 Jefferson Street.

**#3 RE: 344 BREWSTER STREET – Joyce Lyman - Seeking to modify the plan of development on 2 (two) petitions granted by the Board of Appeals on 04/09/13, which established a driveway, as means of access for two interior lots and parking area for the subject premises in an R-A zone.**

Ms. Lyman came forward to address the Commission. She submitted two photographs into the record. She reviewed the details of the parcels and indicated which parcel she owned. She said that she was trying to preserve her right of way to her parking area. At the Black Rock Historic District meeting, gravel was approved. There were no questions from the Commission.

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

Mr. James White of 23 Harbor Avenue came forward and said he was representing the Black Rock NRZ and that the subcommittee had toured the property and thought it was a good idea.

Mr. Piccirillo asked if there was anyone present who wished to speak against the application. Hearing none, Mr. Piccirillo closed the public hearing on 344 Brewster Street.

#### **DECISION SESSION.**

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

Mr. Guevara said that the access to the side of the building was difficult. Mr. Piccirillo said that the developer did not want a big lobby. Discussion followed about the location of the mailboxes. Atty. Schmidt said that everything interacts and that in a building this size, there should not be a problem with this requirement. He also raised the question of whether more common space would be needed. It was pointed out that the area could be reduced to 520 feet, which would eliminate the need for a variance. Atty. Schmidt said that the applicant had not claimed a hardship and that any application would need to claim hardship. Ms. Grace pointed out that Mr. Jones was the architect, not the attorney. Further discussion followed.

**\*\* MS. GRACE MOVED TO TABLE APPLICATION C-1 (#1) RE: 704, 716, 724 EAST MAIN STREET & 30 WALTER STREET – BNM BUILDERS AND**

**DEVELOPERS - SEEKING VARIANCES OF 2.4 FT. OF THE MINIMUM 10 FT. SETBACK AND FAR REQUIREMENT OF SEC. 6-1-3, AND ALSO SEEKING TO WAIVE 11 (ELEVEN) OF THE REQUIRED 36 ON-SITE PARKING SPACES UNDER SEC. 11-1-2, AND ALSO WAIVING ALL OF THE INTERIOR LANDSCAPING REQUIRED UNDER SEC. 11-1-13 TO PERMIT THE CONSTRUCTION OF A 3-STORY MIXED USE RESIDENTIAL AND RETAIL BUILDING IN AN OR ZONE TO MARCH 11, 2014 FOR THE FOLLOWING REASON:**

**THE PETITIONER IS TO CONSULT WITH THE CITY OF BRIDGEPORT DESIGN REVIEW COORDINATOR TO DESIGN A MORE SUITABLE OR FORMAL WALTER ST. ENTRANCE AND LOBBY FOR THE RESIDENTS OF THE BUILDING, UTILIZING UP TO 25% OF THE 520 SQ. FT. OF THE REQUIRED F.A.R.**

**\*\* MR. CAROLAN SECONDED.**

**\*\* THE MOTION TO TABLE APPLICATION C-1 (#1) RE: 704, 716, 724 EAST MAIN STREET & 30 WALTER STREET TO MARCH 11, 2014 PASSED UNANIMOUSLY.**

**C-2 (#7) RE: 194 WILMOT AVENUE – Mostafa Ardouni - Seeking a variance of the maximum height requirement under Sec. 11-8-3 to legalize the existing 6' high fence in an R-BB zone.**

**\*\* MS. GRACE MOVED to APPROVE APPLICATION C-2 (#7) RE: 194 WILMOT AVENUE – MOSTAFA ARDOUNI - SEEKING A VARIANCE OF THE MAXIMUM HEIGHT REQUIREMENT UNDER SEC. 11-8-3 TO LEGALIZE THE EXISTING 6' HIGH FENCE IN AN R-BB ZONE WITH THE FOLLOWING CONDITION:**

**THE 4 POSTS, WHICH ARE NOT PART OF THE SUBJECT FENCE, ARE TO BE REMOVED.**

**FOR THE FOLLOWING REASON:**

**THERE ARE NO LINE OF SITE ISSUES WITH THIS FENCE AT THIS LOCATION.**

**\*\* MS. SHEPHERD SECONDED.**

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

**#1 - 146 ANDOVER STREET – Bridgeport Biodiesel - Seeking variances of the front setback requirement, height requirement, and landscaping requirements**

**under Sec. 7-1-3 to permit the installation of 12 (twelve) storage containers ranging from 15' to 38' in height along the street frontage of the existing industrial building in a I-L zone.**

Mr. Guevara wish to know why the tanks were not inside the building. A discussion followed on the safety and the compliance issues.

**\*\* MS. GRACE MOVED TO TABLE APPLICATION #1 - 146 ANDOVER STREET – BRIDGEPORT BIODIESEL - SEEKING VARIANCES OF THE FRONT SETBACK REQUIREMENT, HEIGHT REQUIREMENT, AND LANDSCAPING REQUIREMENTS UNDER SEC. 7-1-3 TO PERMIT THE INSTALLATION OF 12 (TWELVE) STORAGE CONTAINERS RANGING FROM 15' TO 38' IN HEIGHT ALONG THE STREET FRONTAGE OF THE EXISTING INDUSTRIAL BUILDING IN A I-L ZONE TO MARCH 11, 2014 FOR THE FOLLOWING REASON:**

**THE PETITIONER SHALL RELOCATE THE HOLDING TANKS TO THE INTERIOR OF THE BUILDING, OR A MORE SUITABLE LOCATION ON THE INTERIOR OF THE LOT FOR THE BOARD'S CONSIDERATION.**

**\*\* MR. CAROLAN SECONDED.**

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

**# 2 - RE: 329 CENTRAL AVENUE & 343 – 369 JEFFERSON STREET – BOOTCAMP FARMS, LLC - Seeking a variance of the required front setback requirement of Sec. 8-3-3, and also seeking a variance of the minimum on-site parking requirement of Sec. 11-1-2, and a variance of the maximum height and required landscaping of walls/fences of Sec. 11-8-3b(i).**

**\*\* MOVED TO APPROVE APPLICATION # 2 - RE: 329 CENTRAL AVENUE & 343 – 369 JEFFERSON STREET – BOOTCAMP FARMS, LLC - SEEKING A VARIANCE OF THE REQUIRED FRONT SETBACK REQUIREMENT OF SEC. 8-3-3, AND ALSO SEEKING A VARIANCE OF THE MINIMUM ON-SITE PARKING REQUIREMENT OF SEC. 11-1-2, AND A VARIANCE OF THE MAXIMUM HEIGHT AND REQUIRED LANDSCAPING OF WALLS/FENCES OF SEC. 11-8-3B(I) WITH THE FOLLOWING CONDITIONS:**

- 1. ALL LIGHTING SHALL BE DIRECTED INTO THE LOT AND COMPLY WITH SEC. 11-8-1 OF THE ZONING REGULATIONS TO ENSURE PRIVACY AND THE QUALITY OF LIFE FOR THE ONLY ABUTTING RESIDENTIAL PROPERTY.**

2. **THE GENERATOR SHALL BE RELOCATED TO THE SUGGETTS LANE OR TROWELL STREET FRONTAGE AND SCREENED TO THE L-3 STANDARD.**

**FOR THE FOLLOWING REASONS:**

1. **THE PROJECT AS APPROVED WILL BE A MUCH NEEDED IMPROVEMENT TO THE AREA.**
2. **THE GREEN HOUSE WILL PROVIDE FRESH PRODUCE, AS WELL AS EMPLOYMENT OPPORTUNITIES FOR AREA RESIDENTS.**

**\*\* SECONDED.**

**\*\* THE MOTION PASSED**

**#3 RE: 344 BREWSTER STREET – Joyce Lyman - Seeking to modify the plan of development on 2 (two) petitions granted by the Board of Appeals on 04/09/13, which established a driveway, as means of access for two interior lots and parking area for the subject premises in an R-A zone**

**\*\* MR. CAROLAN MOVED TO APPROVE APPLICATION #3 RE: 344 BREWSTER STREET – JOYCE LYMAN - SEEKING TO MODIFY THE PLAN OF DEVELOPMENT ON 2 (TWO) PETITIONS GRANTED BY THE BOARD OF APPEALS ON 04/09/13, WHICH ESTABLISHED A DRIVEWAY, AS MEANS OF ACCESS FOR TWO INTERIOR LOTS AND PARKING AREA FOR THE SUBJECT PREMISES IN AN R-A ZONE WITH THE FOLLOWING CONDITION:**

**THE GRAVEL AREA SHALL BE CONFINED BY THE INSTALLATION OF BELGIAN BLOCK OR SIMILAR, SUITABLE MATERIAL**

**FOR THE FOLLOWING REASONS:**

1. **THE RELOCATION OF THE DRIVEWAY WILL ALLOW THE PETITIONER TO ESTABLISH A LAWN/GRASS AREA YARD, WHICH WILL ALSO BE BENEFICIAL TO THE ABUTTING PROPERTY OWNER.**
2. **THE ELIMINATION OF ASPHALT AT THIS SITE WILL PROVIDE FOR BETTER DRAINAGE AND A BETTER PROJECT.**

- \*\* MS. GRACE SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

**ADOPTION OF MINUTES.**

**November 12, 2014.**

- \*\* MR. CAROLAN MOVED TO APPROVE THE NOVEMBER 12, 2014 MINUTES AS SUBMITTED.**
- \*\* MS. GRACE SECONDED.**
- \*\* THE MOTION TO APPROVE THE NOVEMBER 12, 2014 MINUTES AS SUBMITTED PASSED UNANIMOUSLY.**

**December 11, 2014.**

- \*\* MS. GRACE MOVED TO APPROVE THE DECEMBER 11, 2014 MINUTES AS SUBMITTED.**
- \*\* MR. CAROLAN SECONDED.**
- \*\* THE MOTION TO APPROVE THE DECEMBER 11, 2014 MINUTES AS SUBMITTED PASSED UNANIMOUSLY.**

**ADJOURNMENT.**

- \*\* MS. GRACE MOVED TO ADJOURN.**
- \*\* MR. CAROLAN SECONDED.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services