

**CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
REGULAR MEETING
JUNE 9, 2015**

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

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

CALL TO ORDER

Commissioner Grace called the meeting to order at 6:05 PM. A quorum was present. She then introduced the Commissioners and staff members seated. She reviewed the procedures to those present.

Commissioner Shepard arrived at 6:10 PM, and thus was slated to sit the rest of the hearing, excusing Commissioner Colon.

Commissioner Grace announced the following withdrawals and requested continuances:

1. In regards to **Item #C-2 (#5) RE: 2925 (AKA 2929) FAIRFIELD AVENUE (Petition of Center for Children’s Advocacy)- Seeking a variance waiving all of the off-street parking requirements under Sec. 11-1-2 to permit the establishment of a 1,000 sq. ft. additional office in a portion of the 1st floor of an existing commercial building in an OR zone**, a letter was received asking for a continuance.
2. **Item #D-1 (#6) RE: 1308 & 1320 MADISON AVENUE (Petition of J.I. Real Estate Holding, Inc.)- Seeking to waive under Sec. 5-1-3, the residential density requirement of 2,700 sq. ft. of property per residential unit to permit the construction of a 3-story, 10-unit residential building with 17 on-site parking spaces on the ground level in the proposed R-C zone** was withdrawn from the agenda.
3. **Item #D-2 (#7) RE: 25 & 33 WEST AVENUE & 384 RAILROAD AVENUE (Petition of CDB, LLC)- Seeking a use variance under Sec. 10-2 and all of the landscaping requirement under Sec. 10-3 to permit the establishment of a firewood processing business in an NCVD zone** was withdrawn from the agenda.

CONTINUED ITEMS

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

Atty. Raymond Rizio came forward and introduced himself as representative for William Navcapman, LLC. He stated that his client had renovated multiple apartment buildings over the years, and in regards to this apartment building, they were seeking an increase in density. He stated that they did not plan to change the footprint of the building, but rather planned to change 4 oversized 2-bedroom units into 8 units consisting of 4 2-bedrooms and 4 studio apartments. He stated that after meeting with Mr. Guevara and Mr. David Coors, they had made improvements to the facade of the building before returning to request permission to renovate the 3rd floor of the building. Atty. Rizio stated that the large units were built in the 1980s, and when the financial crisis hit, the developer turned the rest of the building's planned 2-bedrooms into 1 bedroom units. He stated that the tenants on the 3rd floor are in support of this initiative, as their electrical bills are too high. He further stated that creating the studios would better match the balance of the building. Atty. Rizio provided photos of the building's exterior and reviewed the planned changes to the facade while suggesting a condition of the petition approval be that construction on the units be prohibited until exterior improvements are made. He further stated that the hardship occurred as the size of the units were marketable at the time, but are no longer marketable at present. In regards to the parking, he stated that the property already has 41 parking spaces, exceeding the required 40. In regards to the landscaping, he stated that it is currently at 7 ½% and should remain as such, as there is no more room to add any landscaping.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the petition. Eric Garner, 1148 William Street, Apartment 3, came forward and stated that as a resident of the building in question, he thought it was a great idea, and that he was in favor of giving up space in the interest of improved utility costs.

She then asked if there was anyone who wished to oppose the application. Hearing none, Commissioner Grace closed the hearing on 1148 William Street.

DEFERRED ITEMS

ITEM D-3 (#9) RE: 114 ORCHARD STREET (Petition of Angela Smillie)- Seeking to waive all of the required off-street parking spaces as required under Sec. 11-1-2 to permit the establishment of a hair and nail salon on the 1st floor of the existing 2-family dwelling in an R-C zone.

Angela Smillie came forward and handed in the appropriate mailings.

Commissioner Grace asked if Ms. Smillie owned the property and the specifics of her living situation. Ms. Smillie stated that she did own the property, and that she lived primarily on the second floor and a small portion of the first floor. Ms. Smillie stated that she was running her salon out of 2 rooms on the 1st floor.

Commissioner Grace asked how many stations were present in her salon. Ms. Smillie stated that there were three hair stations and 1 nail station. Commissioner Grace inquired about employees, and Ms. Smillie stated that while she occasionally has an assistant come in, at the moment she is the only individual employed at the salon. She further stated that she was running the salon out of her home so she could mind her children and bring in an income. Commissioner Grace asked if Ms. Smillie is currently licensed, and Ms. Smillie answered in the affirmative, and further said that she had been licensed for 20 years. Commissioner Grace inquired about the hours of the salon, and Ms. Smillie stated that the salon is open Tuesday through Thursday from 10 AM to 7 PM, and Friday from 10:30 AM to 9 PM.

Commissioner Grace inquired about the parking on the property, and Ms. Smillie stated that the driveway has space for three cars, as well as the possibility for customers to park in the backyard. Commissioner Grace asked how long she had occupied the property, and Ms. Smillie stated that she had been in residence since 2007.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. No one came forward. She further asked if there was anyone to oppose the application. Hearing none, she closed the hearing on 114 Orchard Street.

NEW ITEMS

ITEM #1 RE: 625 NORTH AVENUE (Petition of Lindsey's House)- Seeking a use variance under Sec. 7-1-2 to permit the establishment of a daycare center for a maximum of 30 children on the 1st floor of the existing office building in an I-L zone.

The representative from Lindsey's House came forward, but did not have the appropriate mailings. Both Mr. Buckley and Atty. Schmidt suggested a deferral to the next month's meeting.

Commissioner Grace stated that the representative could pick up information about the mailings from the office.

ITEM #2 RE: 387, 355 (AKA 335), 363 WARREN STREET (Petition of Myung Jin, Inc/Bruce A. Barrett)- Seeking a use variance under Sec. 6-1-2 and also seeking variances of the maximum site coverage and minimum landscaping requirements under Sec. 6-1-3, as well as a permit for any property within 1500' of other liquor outlets, as well as patio liquor permit for seasonal dining to permit the establishment of a restaurant and brew pub with live entertainment in an OR-G zone.

Bruce Barrett came forward and handed in the appropriate mailings, as well as photos of the signs put up and a copy of the letter sent out to the property abutters. He handed out a booklet to the members of the commission detailing the plans and reasoning around his petition concerning 387, 355 and 363 Warren Street. He stated that he was seeking a use variance, coverage variance and landscaping variance, and that the hardship of his claim is due to the property's unique isolation where I-95 and Route 25 abutt.

Mr. Barrett directed the commissioners to an aerial photo of the property, a 15,000 sq. ft. warehouse that is currently the home of Fairfield County News. He stated that his company had purchased the building a decade ago, and that it is an ideal location for a brew pub, as it sits where all of the exits come down. He stated that they intend to serve pizza as well, and that they intend to put up billboards near the highway to direct individuals to the brew pub. Mr. Barrett offered numerous photos of the property, as well as of Southport Brewing Company, whose visible indoor brewing equipment they hope to emulate.

Commissioner Grace asked if the brew pub would be able to sell any alcohol other than beer, and Mr. Barrett stated that they could sell liquor, they just could not manufacture it on the premises as they do the beer. He further stated that the liquor outlet mentioned in the request is a package store on Park Avenue.

Mr. Barrett introduced Jeff Browning, brewmaster at Bar in New Haven, and Sam Gardner of GWG Architects in New Haven to answer any questions posed by the commission.

Commissioner Grace asked if there would be any changes to the exterior of the building, and Mr. Gardner stated that they plan to keep the shell as is, while probably adding lighting and signage. He further stated that the site plan is built around safe and accessible parking.

Commissioner Grace asked what the intended hours of the brewpub were, and Mr. Barrett stated as of now they intended to be open for lunch and dinner.

Commissioner Alves inquired about the possibility of live entertainment and its impact on hours. Mr. Gardner stated that the northern side of the building will remain the newspaper distributor's, while the center portion is the restaurant and brewpub, while the remaining area will potentially evolve as a performance space as things progress. He added that he did not anticipate it overwhelming the area. Mr. Barrett stated that his vision is to bring in local artists, and eventually jazz performers or acoustic musicians. Mr. Browning stated that the intention is to have a family friendly space.

Commissioner Grace inquired as to the hours of the Fairfield County Press, and Mr. Barrett stated that they are overnight. Mr. Gardner elaborated by stating that the employees come in at 11 PM and leave by 7 AM.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. Greg Vreeland, 267 Myrtle Avenue, came forward. He stated that he took a tour of the warehouse similar to that given to the NRZ, and that he found the development to be a positive move for the South End.

Mr. Buckley came forward and read a letter provided by David Coors expressing his support of the development.

Commissioner Grace asked if there was anyone present who wished to oppose the application. Hearing none, she closed the hearing on 387, 355 and 363 Warren Street.

ITEM #3 RE: 51 GEORGE STREET (Petition of Habitat for Humanity of Coastal Fairfield County)- Seeking a variance under Sec. 5-1-3 of the front setback requirement to permit the construction of a single-family dwelling in an R-C zone.

Kevin Moore, director of construction for Habitat of Humanity, came forward and turned in the appropriate mailings. He stated that the organization has been operating in Bridgeport for 30 years, and that they are building their 200th home this year.

Mr. Moore stated that the George Street property is donated, and is a foreclosed vacant lot. He stated that the building required a front setback, and is across from a Baptist Church parking lot. He stated that the proposed standard 1500 sq. ft. home with a 4-bedroom design has a 10 ft. setback, and is asking for a waiver for said setback. Mr. Moore further stated that he does not think the area will ever be developed, so this should not present an issue in future.

Commissioner Grace asked if there was any room for parking on site. Mr. Moore stated that there were 2 off-street parking spaces provided.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. No one came forward. She further asked if anyone wanted to oppose the application. Hearing none, she closed the hearing on 51 George Street.

ITEM #4 RE: 2575, 2533 & 2543 EAST MAIN STREET & 71 WAVERLY PLACE (Petition of Cumberland Farms, Inc.)- Seeking a use variance under Sec. 6-1-2 and also seeking variances of the front setback and accessory structure height requirements under Sec. 6-1-3; the maximum structure size requirement under Sec. 4-9-1.c.2; the building siting and window area requirement under Sec. 6-1-4 (a) & (b) and the maximum fence height requirement under Sec. 11-8-3; to permit the redevelopment and construction of a new 4,738 sq. ft. retail sales building in an OR zone.

Atty. Benjamin Proto came forward and turned in the appropriate mailings. Alongside him, Patrick O'Leary with HB Engineering and John Mark with Cumberland Farms also came forward.

Atty. Proto stated that the application is to expand the preexisting Cumberland Farms, which is currently a smaller convenience store. He stated that they intend to increase the size of the operation and add 6 dispenser stations. In regards to the parking, he stated that while the regulation states 24 must be available and the site plan shows 16, it does not take into account the dispenser stations, which patrons often use as both parking and service locations. Taking into account those stations, the amount of parking is in fact 28 spaces. In regards to the fencing, he stated that while the proposed height along Waverly Street is 6 feet, the regulation requires 4 feet. Atty. Proto stated that they believe the 6 foot fence is more appropriate as it would provide better screenage for the dumpster for the neighbor's benefit.

Atty. Proto stated that several hardships were applicable in this case. They are as follows:

1. The locations fronts three streets, one of which is a triangular intersection, creating an oddly shaped lot with 6 different property lines.
2. With the current lot, in order to abide by the 10 ft. setback, the building would need to be 280 ft. long to satisfy the requirement on all 3 streets.
3. To add the required amount of windows on the building, they would need to be placed on the back of the building, which is used for coolers, shelving and storage. The requirement of 2-way glass makes this a theft hazard.

Mr. O'Leary provided individual handouts for the commission members. He stated that the site in existence as it is today has 11 non-conforming aspects, and that the variances requested exist currently as existing non-conforming with the exception of the request for fencing. He provided photo renderings of the planned finished product, and noted that they had attempted to minimize

as many non-conformities as possible. He stated that landscaping with deciduous trees and evergreens in addition to the proposed fencing is planned. Mr. O'Leary further stated that the building's plan to collect all storm drainage water on site was environmentally beneficial.

Commissioner Grace inquired about the curb cuts on the property, and asked if they intended on reducing the curb cut closest to the traffic light. Mr. O'Leary stated that the lengthwise curb cut would have a sign put in place to discourage use as an entrance, and that he believed they could satisfy all conditions put forth in the engineering letter. He stated that they would find a way to geometrically constrain the curb cut by consulting with the city engineer.

Commissioner Shepard asked if the site would operate 24 hours a day, and Mr. O'Leary stated that it would.

Commissioner Alves inquired about the encroaching driveway over the property line, and Mr. O'Leary stated that they would be working with the neighbor in question to resolve the encroaching driveway issue, and that it would remain the person's driveway.

Megan Vincent, the architect, came forward and presented the property plans. There was some discussion of the window issue and the recommendations made by Mr. Guevara.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. No one came forward. She further asked if there was anyone who wished to oppose the application.

Lou Laskay, 2080 Milton Avenue, came forward. He stated that he had lived at the property for 15 years, and that he is concerned about the extra traffic in the neighborhood, as well as the garbage and noise pollution as a result of the gas station. Commissioner Grace asked if there were issues at present, and Mr. Laskay stated there were regarding the 3 AM trash pickup. He further stated that as these issues were present with the store only being open till 11 PM, the 24 hour operations made him apprehensive.

Susan Gotta, 10 Waverly Place, came forward. She stated that she had lived at the property for 40 years and was not opposed to the presence of the gas station, but saw no reason for it to be expanded. She stated that traffic has gotten worse over the years, and that the street is being used as a shortcut for people who do not want to wait at the stoplight. She stated that people dump garbage and bottles on the corners of Waverly and Noble, and that she sees this increasing with a 24 hour operation.

Audrea Cosme came forward and stated that she had never received notice on the property. Commissioner Grace stated that the parties are only obligated to inform neighbors within a

certain footage. Ms. Cosme stated that she had moved to the property 5 years ago, and that in that time traffic has become horrific. She stated that this will only grow with the gas station expanding, and that it already disrupts her sleep patterns. She further stated that if the area commercializes, she feel their property taxes should be more akin to that of an OR zone.

Sheldon Williams and his daughter, Brea, 26 Waverly Place, came forward. He stated that there is already heavy truck traffic, and with an expansion and 24 hour convenience store, there will be generators running all night as well. He stated that he has noticed people hovering in the parking lot nearby.

J.P., resident of 2148 Noble Avenue, stated that he owns the driveway being intersected by the proposed addition. He stated that there is garbage all over the parking lot of Cumberland Farms, and despite repeated requests it is not cleaned. He stated that the fence falls down 3 to 4 times a year, and he must repair it at his own expense. He stated that the dumpsters are open 24 hours a day, and cited an incident when he found an individual in the dumpster late at night who had lit a fire, and then proceeded to follow him back to his residence. He further stated that the 3 AM garbage pickup is directly next to his daughter's bedroom window and that it repeatedly wakes her up, and is unacceptable.

Levatta Brantley, 2130 Noble Avenue, stated that she believed the site could use improvements, but disagreed with the expansion.

In response, Atty. Proto stated that they did not disagree with a great deal of the concerns, but that they did not anticipate site traffic to increase as it is a convenience gas station. He stated that the properties had yet to be acquired to expand, and that they were equally concerned with the safety and security of the site, whose current state was not conducive to either. He stated that they had been unaware of the 3 AM trash pickup, and that it was indeed unreasonable and would be rectified. Atty. Proto suggested they continue the item rather than close the hearing in order to allow them to meet with the neighbors at their discretion, at a place of their choosing, to gather their input. He further stated that they would waive any statutory requirements involving the commission's decision.

ITEM #5 RE: 61 HURD AVENUE (Petition of Churrascaria Pioneira, LLC)- Seeking a variance under Sec. 12-10b to now permit the permanent establishment of a seasonal outside patio liquor permit; a variance of the number of off-street parking requirements under Sec. 11-1-2 and the modification of the approvals of 11/10/09 and 06/10/14 to include a larger consumer bar and a 40-seat dining room in the existing restaurant in an OR zone.

Atty. Rizio came forward and turned in the mailings. He stated that the applicants have taken a vacant warehouse and turned it into a successful restaurant. Furthermore, he stated that they get

along well with their neighbors, and that the bulk of the application is to create an outdoor dining area in the back of the restaurant, next to the parking lot, away from any abutters. Atty. Rizio stated they were also reducing the size of the preexisting catering hall, replacing the 40 seated with a storage and office area. In addition, the bar currently in the catering hall would be moved to the new outdoor dining area. He stated that they are requesting the commission allow the existing consumer bar be converted into a service bar, where a condition of approval could be that it be limited to 13 seats, rather than the previously approved 17.

Commissioner Grace inquired about parking, and Atty. Rizio stated there had never been an issue involving parking, and that 75% of the patrons were from the neighborhood, and walked to the establishment. Commissioner Grace asked if the parking lease had been filed on the land record, and Mr. Buckley stated that he did not know, but that it should have been.

Atty. Rizio stated that they were also requesting that the condition about live entertainment from their previous approval be modified, as it states explicitly that only 3-piece ensembles are allowed. He stated that this was likely put in place to preclude an 18-piece band or the like coming in, but it was also precluding DJs from performing. He further stated that they respectfully requested the right to bring in a DJ. Atty. Rizio stated that there is a petition in support signed by all the neighbors, communication with both Councilmember Banta and Councilmember Taylor-Moye, and a letter from Ethan Book, a local resident, in support.

Commissioner Grace asked if there was anyone present who wished to speak in favor of the application. Councilmember Jose Casco came forward and endorsed the application. Irineu Portella came forward and endorsed the application.

Commissioner Grace further asked if there was anyone who wished to oppose the application. Hearing none, she closed the hearing on 61 Hurd Avenue.

DECISION SESSION

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

****COMMISSIONER CAROLAN MOVED TO GRANT ITEM #C-1
RE: 1148 WILLIAM STREET- SEEKING VARIANCES OF THE DENSITY
REQUIREMENT OF 2,700 SQ. FT. OF PROPERTY PER RESIDENTIAL UNIT**

AND THE MINIMUM LANDSCAPING REQUIREMENTS OF SEC. 5-13 TO PERMIT THE ESTABLISHMENT OF FOUR (4) ADDITIONAL RESIDENTIAL UNITS IN THE EXISTING 20-UNIT APARTMENT HOUSE IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:

- 1. THE ARCHITECTURAL ENHANCEMENTS TO THE FRONT OF THE SUBJECT PREMISES SHALL BE IN STRICT ACCORD WITH THE PLAN SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. IN ADDITION TO THE SHUTTERS FACING WILLIAM STREET, SHUTTERS ARE TO BE ADDED TO ALL WINDOW FACING THE NORTH & SOUTH ELEVATIONS.**
- 3. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 4. ALL INTERIOR WORK, AS WELL AS EXTERNAL IMPROVEMENTS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.**

FOR THE THE FOLLOWING REASONS:

- 1. THE ADDITIONAL UNITS ARE THROUGH A RENOVATION OF EXISTING LIVING SPACE.**
- 2. THERE IS ADEQUATE ON-SITE PARKING TO ACCOMMODATE THE INCREASED NUMBER OF UNITS.**
- 3. THE IMPROVEMENTS TO THE EXTERIOR OF THE BUILDING WILL PROVIDE A MUCH NEEDED FACE LIFT TO THIS EXISTING UNATTRACTIVE BUILDING.**

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

****MOTION PASSED UNANIMOUSLY.**

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

****COMMISSIONER SHEPARD MOVED TO CONTINUE ITEM #C-2 (#5) RE: 2925 (AKA 2929) FAIRFIELD AVENUE- SEEKING A VARIANCE WAIVING ALL OF THE OFF-STREET PARKING REQUIREMENTS UNDER SEC. 11-1-2 TO PERMIT THE**

City of Bridgeport

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Zoning Board of Appeals

Regular Meeting

June 9, 2015

ESTABLISHMENT OF A 1,000 SQ. FT. ADDITIONAL OFFICE IN A PORTION OF THE 1ST FLOOR OF AN EXISTING COMMERCIAL BUILDING IN AN OR ZONE TO THE JULY 14, 2015 MEETING.

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

****MOTION PASSED UNANIMOUSLY.**

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

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

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

****MOTION PASSED UNANIMOUSLY.**

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

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

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

****MOTION PASSED UNANIMOUSLY.**

ITEM #D-3 (#9) RE: 114 ORCHARD STREET- SEEKING TO WAIVE ALL OF THE REQUIRED OFF-STREET PARKING SPACES AS REQUIRED UNDER SEC. 11-1-2

TO PERMIT THE ESTABLISHMENT OF A HAIR AND NAIL SALON ON THE 1ST FLOOR OF THE EXISTING 2-FAMILY DWELLING IN AN R-C ZONE.

****COMMISSIONER ALVES MOVED TO DENY ITEM #D-3 (#9) RE: 114 ORCHARD STREET- SEEKING TO WAIVE ALL OF THE REQUIRED OFF-STREET PARKING SPACES AS REQUIRED UNDER SEC. 11-1-2 TO PERMIT THE ESTABLISHMENT OF A HAIR AND NAIL SALON ON THE 1ST FLOOR OF THE EXISTING 2-FAMILY DWELLING IN AN R-C ZONE FOR THE FOLLOWING REASONS:**

- 1. THE PETITIONER FAILED TO ESTABLISH AN UNUSUAL CONDITION OR HARDSHIP RELATING TO THIS PROPERTY AND PETITION.**
- 2. HOURS OF OPERATION AND LACK OF ON-SITE PARKING WOULD HAVE A NEGATIVE IMPACT ON THIS RESIDENTIAL NEIGHBORHOOD.**
- 3. THE ADDED TRAFFIC TO AN ALREADY CONGESTED AREA WOULD RESULT IN A DETRIMENT TO PUBLIC SAFETY.**

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

****MOTION PASSED UNANIMOUSLY.**

ITEM #1 RE: 625 NORTH AVENUE- SEEKING A USE VARIANCE UNDER SEC. 7-1-2 TO PERMIT THE ESTABLISHMENT OF A DAYCARE CENTER FOR A MAXIMUM OF 30 CHILDREN ON THE 1ST FLOOR OF THE EXISTING OFFICE BUILDING IN AN I-L ZONE.

****COMMISSIONER PEREZ MOVED TO DEFER ITEM #1 RE: 625 NORTH AVENUE- SEEKING A USE VARIANCE UNDER SEC. 7-1-2 TO PERMIT THE ESTABLISHMENT OF A DAYCARE CENTER FOR A MAXIMUM OF 30 CHILDREN ON THE 1ST FLOOR OF THE EXISTING OFFICE BUILDING IN AN I-L ZONE TO THE JULY 14, 2015 MEETING.**

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

****MOTION PASSED UNANIMOUSLY.**

ITEM #2 RE: 387, 355 (AKA 335), 363 WARREN STREET- SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND MINIMUM LANDSCAPING REQUIREMENTS UNDER SEC. 6-1-3, AS WELL AS A VARIANCE OF THE LIQUOR CONTROL REGULATION 12-10B PROHIBITING THE ISSUANCE OF A LIQUOR PERMIT FOR ANY PROPERTY WITHIN 1500' OF OTHER LIQUOR OUTLETS, AS WELL AS

PATIO LIQUOR PERMIT FOR SEASONAL DINING TO PERMIT THE ESTABLISHMENT OF A RESTAURANT AND BREW PUB WITH LIVE ENTERTAINMENT IN AN OR-G ZONE.

****COMMISSIONER CAROLAN MOVED TO GRANT ITEM #2 RE: 387, 355 (AKA 335), 363 WARREN STREET- SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING VARIANCES OF THE MAXIMUM SITE COVERAGE AND MINIMUM LANDSCAPING REQUIREMENTS UNDER SEC. 6-1-3, AS WELL AS A VARIANCE OF THE LIQUOR CONTROL REGULATION 12-10B PROHIBITING THE ISSUANCE OF A LIQUOR PERMIT FOR ANY PROPERTY WITHIN 1500' OF OTHER LIQUOR OUTLETS, AS WELL AS PATIO LIQUOR PERMIT FOR SEASONAL DINING TO PERMIT THE ESTABLISHMENT OF A RESTAURANT AND BREW PUB WITH LIVE ENTERTAINMENT IN AN OR-G ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. APPROVAL IS FOR THE MANUFACTURING OF BEER ONLY.**
- 2. CROSSWALK IS TO BE INSTALLED AT THE MYRTLE AVENUE AND SOUTH FRONTAGE ROAD INTERSECTION.**
- 3. LANDSCAPING SHALL BE TO THE L-2 STANDARD WITH A 4 FOOT DECORATIVE FENCE ON THE INSIDE OF THE CONCRETE SIDEWALK ON THE MYRTLE AVENUE AND SOUTH FRONTAGE ROAD PROPERTY LINES OF THE LEASED PARCEL.**
- 4. PATIO AREA FOR DINING SHALL BE FENCED, AND ACCESS IS FROM THE INSIDE OF THE BUILDING ONLY.**
- 5. THE PATIO AREA SHALL BE CLOSED WHEN THE KITCHEN CLOSES.**
- 6. THERE SHALL NOT BE OUTSIDE STORAGE OF ANYTHING FOR ANY REASON.**
- 7. THE PETITIONER WILL NEED TO RECEIVE APPROVALS FROM THE PLANNING & ZONING COMMISSION REGARDING ANY TYPE OF LIVE ENTERTAINMENT.**

FOR THE FOLLOWING REASONS:

- 1. THE REDEVELOPMENT OF THIS PARCEL AND BUILDING WILL HAVE A POSITIVE IMPACT ON THE IMMEDIATE AREA.**
- 2. THE PETITIONER WILL HAVE TO COMPLY WITH THE STATE STATUTES FOR THE ESTABLISHMENT AND OPERATION OF A BEER PUB.**
- 3. THE ADDITION OF THE LEASED PROPERTY WILL ENABLE THE PETITIONER TO PROVIDE OFF-STREET PARKING EXCEEDING ZONING REQUIREMENTS.**

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

****MOTION PASSED UNANIMOUSLY.**

ITEM #3 RE: 51 GEORGE STREET- SEEKING A VARIANCE UNDER SEC. 5-1-3 OF THE FRONT SETBACK REQUIREMENT TO PERMIT THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING IN AN R-C ZONE.

****COMMISSIONER ALVES MOVED TO GRANT ITEM #3 RE: 51 GEORGE STREET- SEEKING A VARIANCE UNDER SEC. 5-1-3 OF THE FRONT SETBACK REQUIREMENT TO PERMIT THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING IN AN R-C ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE DEVELOPMENT OF THIS PROPERTY SHALL BE IN STRICT ACCORD WITH THE PLANS SUBMITTED TO AND APPROVED BY THE BOARD.**
- 2. THE PETITIONER SHALL FILE PLANS AND APPLICATIONS FOR THE ISSUANCE OF A CERTIFICATE OF ZONING COMPLIANCE AND A BUILDING PERMIT.**
- 3. THE FRONT OF THE SUBJECT PREMISES SHALL BE LANDSCAPED WITH LOW LYING SHRUBS AND PROPERLY MAINTAINED.**

FOR THE FOLLOWING REASON:

- 1. PROVIDES A NEW HOME IN AN OLDER AREA OF THE CITY, WHICH WILL BE AN ASSET TO THE NEIGHBORHOOD.**

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

****MOTION PASSED UNANIMOUSLY.**

ITEM #4 RE: 2575, 2533, 2543 EAST MAIN STREET & 71 WAVERLY PLACE- SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING VARIANCES OF THE FRONT SETBACK AND ACCESSORY STRUCTURE HEIGHT REQUIREMENTS UNDER SEC. 6-1-3; THE MAXIMUM STRUCTURE SIZE REQUIREMENT UNDER SEC. 4-9-1.C.2; THE BUILDING SITING AND WINDOW AREA REQUIREMENT UNDER SEC. 6-1-4 (A) & (B) AND THE MAXIMUM FENCE HEIGHT REQUIREMENT UNDER SEC. 11-8-3; TO PERMIT THE REDEVELOPMENT AND CONSTRUCTION OF A NEW 4,738 SQ. FT. RETAIL SALES BUILDING IN AN OR ZONE.

****COMMISSIONER CAROLAN MOVED TO CONTINUE ITEM #4 RE: 2575, 2533, 2543 EAST MAIN STREET & 71 WAVERLY PLACE- SEEKING A USE VARIANCE UNDER SEC. 6-1-2 AND ALSO SEEKING VARIANCES OF THE FRONT SETBACK AND ACCESSORY STRUCTURE HEIGHT REQUIREMENTS UNDER SEC. 6-1-3; THE MAXIMUM STRUCTURE SIZE REQUIREMENT UNDER SEC. 4-9-1.C.2; THE BUILDING SITING AND WINDOW AREA REQUIREMENT UNDER SEC. 6-1-4 (A) & (B) AND THE MAXIMUM FENCE HEIGHT REQUIREMENT UNDER SEC. 11-8-3; TO PERMIT THE REDEVELOPMENT AND CONSTRUCTION OF A NEW 4,738 SQ. FT. RETAIL SALES BUILDING IN AN OR ZONE TO THE JULY 14, 2015 MEETING.**

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

****MOTION PASSED UNANIMOUSLY.**

ITEM #5 RE: 61 HURD AVENUE- SEEKING A VARIANCE UNDER SEC. 12-10B TO NOW PERMIT THE PERMANENT ESTABLISHMENT OF A SEASONAL OUTSIDE PATIO LIQUOR PERMIT; A VARIANCE OF THE NUMBER OF OFF-STREET PARKING REQUIREMENTS UNDER SEC. 11-1-2 AND THE MODIFICATION OF THE APPROVALS OF 11/10/09 AND 06/10/14 TO INCLUDE A LARGER CONSUMER BAR AND A 40-SEAT DINING ROOM IN THE EXISTING RESTAURANT IN AN OR ZONE.

****COMMISSIONER CAROLAN MOVED TO GRANT ITEM #5 RE: 61 HURD AVENUE- SEEKING A VARIANCE UNDER SEC. 12-10B TO NOW PERMIT THE PERMANENT ESTABLISHMENT OF A SEASONAL OUTSIDE PATIO LIQUOR PERMIT; A VARIANCE OF THE NUMBER OF OFF-STREET PARKING REQUIREMENTS UNDER SEC. 11-1-2 AND THE MODIFICATION OF THE APPROVALS OF 11/10/09 AND 06/10/14 TO INCLUDE A LARGER CONSUMER BAR AND A 40-SEAT DINING ROOM IN THE EXISTING RESTAURANT IN AN OR ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. THE PETITIONER IS TO FILE A RESTRICTIVE COVENANT ON THE LAND RECORDS OF THE CITY OF BRIDGEPORT FOR EXCESS PARKING IN THE CONTRACTOR'S STORAGE YARD WHEN NEEDED.**
- 2. THE PATIO APPROVAL IS FOR DINING ONLY AND WILL CLOSE WHEN THE KITCHEN CLOSES.**
- 3. THE PATIO WILL BE FENCED WITH A 3' OR 4' WROUGHT IRON TYPE FENCE AND ONLY ACCESSIBLE FROM THE INSIDE OF THE RESTAURANT.**
- 4. PREVIOUS CONDITIONS OF APPROVAL ON 11/10/09 AND 03/08/11 APPLY AS WELL.**

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

APPROVAL OF MINUTES
REGULAR MEETING MAY 12, 2015

The approval of the meeting minutes of May 12, 2015, were deferred to the following meeting.

ADJOURNMENT

****COMMISSIONER CAROLAN MOVED TO ADJOURN THE MEETING.
**COMMISSIONER ALVES SECONDED THE MOTION.
MOTION PASSED UNANIMOUSLY.

The meeting adjourned at 9:15 PM.

Respectfully submitted,

Catherine Ramos
Telesco Secretarial Services