



PLANNING AND ZONING COMMISSION
OCTOBER 15, 2013
PUBLIC HEARING
MEETING MINUTES
CITY OF BRIDGEPORT

45 Lyon Terrace, Room
210
Bridgeport, CT 06604
(203) 576-7217 Phone
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ATTENDANCE: M. Riley, Acting Chair; B. Freddino, Acting Secretary; T. Fedele;
R. Filotei; R. Morton; A. Pappas-Phillips

STAFF: Dennis Buckley, Zoning Administrator; D. Guevara, Design
Review Coordinator; E. Schmidt, Assistant City Attorney

CALL TO ORDER

Acting Chairman Riley reconvened the September 30, 2013 meeting at 6:10 p.m. He then introduced the Commissioners present. He informed all present that this was a continuation of the meeting on convened on September 30, 2013.

Mr. Riley informed all applicants that with 6 members seated an approval will require 5 yes votes. Anyone may request a continuance until a full board is present.

NEW BUSINESS

(13-63) 118 Burr Court – Petition of 118 Burr Court, LLC – Seeking a site plan review, and coastal site plan to permit the establishment of a medical marijuana production facility in an I-L Zone.

Atty. John Fallon appeared to present this application on behalf of 118 Burr Court, LLC, the applicant and owner of the property. The applicant proposes allocating a 7M sq. ft. portion of the existing building as a production facility for a medical marijuana planting, growing, harvesting and packaging operation.

Atty. Fallon briefly spoke to the new State of CT regulations, as written by the Department of Consumer Protection, regarding medical marijuana production and dispensing facilities. He further stated that this proposal tonight is for production only. There will be no dispensing at this location.

Atty. Fallon said tonight is for addressing the zoning issues. The use is permitted in this light industrial zone. They have also filed a coastal site plan application. They are not proposing any changes to the outside of the building.

All production will occur in pods all inside the building. They anticipate 5-7 employees. There should be no traffic impact. No one will be able to order and pick up product from this building. All finished product will be shipped to licensed dispensaries in accordance with strict transportation protocol dictated by the CT Dept. of Consumer Protection.

Atty. Fallon briefly reviewed D. Guevara's staff report. He said three people will speak tonight regarding the company Operations, Security and Health & Safety. He also said they have sent letters to all the neighbors advising them of their intent to file this application. He furnished a number of letters of support from neighbors and a petition of support with signatures of neighbors and other supporters. Included in the handout is a resume from the Security Consultant, BBG Consulting, who will speak on security for this facility.

Mr. Joe Palmieri, managing partner/owner of Palmieri Farms, the applicant. He is also president of CT Tank Removal, located at the same address since 1997. He briefly spoke about CT Tank Removal operations in the city and said he works with the city, state and federal government on hazmat and other projects.

He further explained the planting, growing, harvesting, and packaging system he has designed for this operation. All activity will occur in large, locked pods with external controls. Internal atmosphere is controlled to allow 24 hour growing.

Co-chair Riley asked where he got the knowledge to grow marijuana. He said his family history includes traditional farming and he has applied that experience to this new system.

Ms. Pappas-Phillips asked him about how the product will be harvested. Mr. Palmieri said it will all be controlled from the outside. Inventory will be managed by a barcode system that will track the growing from seed to packaging.

He provided further information on the harvesting and shipping process. He said all phases of production are done under lockdown for security purposes. This will be covered by the security consultants.

Mr. Palmieri said the health and safety of his employees and operation is paramount to him. There was further discussion on safety protocol.

Mr. Mike Preston has been the Health & Safety Manager for CT Tank Removal since 2001. He briefly reviewed his work history and safety background. He then spoke about

employee health and safety as it will apply to this application. All employees will have a complete background check including identity, social security, citizenship, pre-employment drug screening, state and local criminal background, and, if hired, will be subject to random drug screening.

Employees will be receiving safety training on a variety of topics prior to starting employment and on a continuing basis.

Mr. Carl Bell, and Mr. Robert Preston, Principals of BBG Consulting LLC came forward to speak about security measures and operating protocols.

Mr. Bell said his company acts as consultants for this project and helped design the security protocol that meets and exceeds the regulations as issued by the State of Ct. – Dept. of Consumer Protection.

He said there will be a 24/7 monitoring system which feeds in to the city police department. There is controlled access and all activity in and out of the locked facility is recorded via a swipe card. He said the pods are very secure, electronically alarmed with notice going to the police and J. Palmieri.

Mr. Palmieri added this is a double lock system – need 2 employees with individual keys to open any pod. If there is a breach of security the building will go in to a lockdown mode.

Mr. Riley asked if the employees will multi task. Mr. Palmieri said initially employees will be trained in all phases of the operation. As the company grows, employees will specialize in one or more parts of the operation.

Mr. Preston spoke to the multiple alarm system that is proposed. Mr. Riley asked if there will be signs on the building. Mr. Preston replied no signs. Mr. Palmieri reviewed the access points from outside to inside the building, and also between areas within the building. There was further discussion on the different areas of the building and access between CT Tank Removal and Palmieri Farms.

Mr. Bell addressed the transportation of the finished product. He said shipments will be made in non-script secure vehicles, with bonded personnel, similar to bank trucks. They will alternate vehicles, and adjust and change routes used. Product will be in individual locked boxes.

Ms. Pappas-Phillips asked what happens during a hazardous event such as fire. Mr. Palmieri replied the pods are fireproof. Will also have sprinklers. He added the marijuana plants are grown hydroponically with gravel and water, no soil. Mr. Riley

asked if the drained water from the pods has marijuana residue. Mr. Palmieri said there is no residue and indicated the water will be recycled.

Mr. Bell said shipments will be during daytime only. The delivery trucks will pull in to the building and the bay door will close. It will be loaded, the door will open and the truck will leave. He added the drivers will be armed for their own protection.

Mr. Filotei expressed concern over prolonged police response time if an alarm is sent. Mr. Palmieri said longer response times were considered when designing the system. He said he will be able to lockdown the building remotely from his tablet computer. The multiple layers of alarms, lockdowns, secured and locked pods would make it very difficult for someone to get in and out quickly.

Ms. Freddino asked about weather related emergencies. Mr. Palmieri said they have a backup generator able to support all the necessary security systems if required. He added that CT Tank Removal assisted the city in clearing their neighborhood during the blizzard last winter.

Mr. Riley asked if they have considered using a security firm on site. Mr. Palmieri said they plan to use an outside security company.

Ms. Freddino read a memo dated 9/17/13 from John Gaucher, DEEP in to the record. He had no comments on the application.

Atty. Fallon summarized the presentation. Mr. Riley asked him to address the special permit requirements. Atty. Fallon said there is no special permit required per Mr. Guevara's report and that this application is for a site plan and coastal site plan review.

Chair Riley asked if anyone wished to speak in favor of this application.

1. Tom Morley – owns property next to CT Tank Removal, said they are a great neighbor, always a supervisor in the yard.
2. Bob Caldwell – Merit Insurance, insures CT Tank Removal, said that CTR has passed insurance inspectors, this is an insurable operation, and they are a wonderful company.
3. David Kooris – City OPED, said there are lots of people showing interest in this type of operation, and he feels confident this is a good project and a good example of urban agriculture.
4. Wayne Hasgrove – said he trusts Mr. Palmieri, he is also a Fire Marshall for City of Bridgeport.
5. B. McCarthy – Captain, City Police Department, and said they have addressed all issues and thinks this is a positive for the City.

26 people in total appeared in support of this application.

Chair Riley asked if anyone wished to speak against this application.

Seeing none Public Hearing was closed.

CONSENT AGENDA

CA-1 Re: 725 – 727 LAUREL AVENUE – Seeking a site plan review for a 2-family dwelling being legalized and changed into a 3-family dwelling in an R-B zone.

**** COMMISSIONER MORTON MOVED TO APPROVE CA-1 725 – 727 LAUREL AVENUE – SEEKING A SITE PLAN REVIEW FOR A 2-FAMILY DWELLING BEING LEGALIZED AND CHANGED INTO A 3-FAMILY DWELLING IN AN R-B ZONE.**

**** COMMISSIONER PAPPAS-PHILLIPS SECONDED**

**** MOTION PASSED UNANIMOUSLY**

CA-2 RE: 1289 RAILROAD AVENUE – Seeking a 1-year extension for a multi-unit housing project which was approved by the Planning & Zoning Commission on 08/27/12.

**** COMMISSIONER MORTON MOVED TO APPROVE CA-2 RE: 1289 RAILROAD AVENUE – SEEKING A 1-YEAR EXTENSION FOR A MULTI-UNIT HOUSING PROJECT WHICH WAS APPROVED BY THE PLANNING & ZONING COMMISSION ON 08/27/12.**

**** COMMISSIONER PAPPAS-PHILLIPS SECONDED**

**** MOTION PASSED UNANIMOUSLY**

THE EXPIRATION DATE OF THE 1-YEAR EXTENSION HAS BEEN ESTABLISHED AS OCTOBER 21, 2014.

CA-3 RE: 674 MADISON AVENUE – Seeking to waive the public hearing requirement and grant under Sec. 14-54 of the CT General Statutes an amended certificate of location for a general auto repair facility under new ownership in an OR-G zone.

**** COMMISSIONER MORTON MOVED TO APPROVE CA-3 RE: 674
MADISON AVENUE – SEEKING TO WAIVE THE PUBLIC HEARING
REQUIREMENT AND GRANT UNDER SEC. 14-54 OF THE CT GENERAL
STATUTES AN AMENDED CERTIFICATE OF LOCATION FOR A GENERAL
AUTO REPAIR FACILITY UNDER NEW OWNERSHIP IN AN OR-G ZONE.
** COMMISSIONER PAPPAS-PHILLIPS SECONDED
** MOTION PASSED UNANIMOUSLY
STANDARD DMV CONDITIONS “D”, AS WELL AS THE PREVIOUS
CONDITIONS THAT WERE ESTABLISHED FOR PRIOR APPROVALS**

**CA-4 RE: 24 WHITTIER STREET (aka 2226 FAIRFIELD AVENUE) – Seeking
to waive the public hearing requirement and grant under Sec. 14-54 of the CT
General Statutes an amended certificate of location for a used car dealership under
new ownership in an OR zone.**

**** COMMISSIONER MORTON MOVED TO APPROVE CA-4 RE: 24
WHITTIER STREET (AKA 2226 FAIRFIELD AVENUE) – SEEKING TO
WAIVE THE PUBLIC HEARING REQUIREMENT AND GRANT UNDER SEC.
14-54 OF THE CT GENERAL STATUTES AN AMENDED CERTIFICATE OF
LOCATION FOR A USED CAR DEALERSHIP UNDER NEW OWNERSHIP IN
AN OR ZONE.
** COMMISSIONER PAPPAS-PHILLIPS SECONDED
** MOTION PASSED UNANIMOUSLY**

**STANDARD DMV CONDITIONS “D”, AS WELL AS THE PREVIOUS
CONDITIONS THAT WERE ESTABLISHED FOR PRIOR APPROVALS**

OTHER BUSINESS

1. **Zoning Re-Write Materials** – Mr. Buckley indicated he furnished a copy of language changes to the regulations, as furnished by the re-write committee to this committee. Ms. Freddino asked for clarification for a number of the changes and they were reviewed with Mr. Buckley.

RECESS

A recess was announced at 7:30 PM. Chair Riley called the meeting back into order at 7:35 PM.

OTHER BUSINESS, CONTINUED

1. **Zoning, re-write**, continued – Mr. Buckley said a Public Hearing is not required for Changes – Part 1. A Public Hearing is required for Changes - Part 2.

**** COMMISSIONER PAPPAS-PHILLIPS MOVED TO APPROVE PROPOSED CHANGES PART-I AS DISCUSSED.**

**** COMMISSIONER MORTON SECONDED**

**** MOTION PASSED UNANIMOUSLY**

**** COMMISSIONER PAPPAS-PHILLIPS MOVED TO ADD PUBLIC HEARING FOR PROPOSED CHANGES – PART 2 TO NOVEMBER AGENDA.**

**** COMMISSIONER MORTON SECONDED**

**** MOTION PASSED UNANIMOUSLY**

2. **Marijuana Dispensaries** – Mr. Buckley furnished materials re; marijuana dispensaries. Ms. Pappas-Phillips noted her displeasure at a quote in the CT Post re: marijuana dispensaries and the City of Bridgeport.

**** COMMISSIONER PAPPAS-PHILLIPS MOVED TO NOT CHANGE ZONING REGULATIONS TO ALLOW MARIJUANA DISPENSARIES**

**** COMMISSIONER MORTON SECONDED**

**** MOTION PASSED UNANIMOUSLY**

3. **Modification of an approved plan of development – site plan** – Older home on Brewster Street, had an original 30' right of way to access 2 new back lots, with parking area behind old house. New owner of old house does not want to add parking behind her house because she would lose her back yard and has proposed a new layout.

**** COMMISSIONER PAPPAS-PHILLIPS MOVED TO REQUIRE NEW OWNER TO FILE AN APPLICATION AND APPEAR BEFORE THE COMMISSION.**

**** COMMISSIONER FREDDINO SECONDED**

**** MOTION PASSED UNANIMOUSLY**

DECISION SESSION

(13-63) 118 Burr Court – Petition of 118 Burr Court, LLC – Seeking a site plan review, and coastal site plan to permit the establishment of a medical marijuana production facility in an I-L Zone.

**** COMMISSIONER MORTON MOVED TO APPROVE (13-63) 118 BURR COURT – PETITION OF 118 BURR COURT, LLC – SEEKING A SITE PLAN REVIEW, AND COASTAL SITE PLAN TO PERMIT THE ESTABLISHMENT OF A MEDICAL MARIJUANA PRODUCTION FACILITY IN AN I-L ZONE.**

**** COMMISSIONER PAPPAS-PHILLIPS SECONDED**

**** MOTION PASSED UNANIMOUSLY**

(13-64) RE: 8-24 Referral – Regarding the abandonment of city streets to facilitate the advancement of the Planned Development District #1.

**** COMMISSIONER PAPPAS-PHILLIPS MOVED TO MAKE A FAVORABLE RECOMMENDATION TO THE CITY COMMON COUNCIL FOR 13-64) RE: 8-24 REFERRAL – REGARDING THE ABANDONMENT OF CITY STREETS TO FACILITATE THE ADVANCEMENT OF THE PLANNED DEVELOPMENT DISTRICT #1.**

**** COMMISSIONER MORTON SECONDED**

**** MOTION PASSED UNANIMOUSLY**

ADJOURNMENT

****COMMISSIONER MORTON MOVED TO ADJOURN**

****COMMISSIONER FEDELE SECONDED**

****MOTION PASSED UNANIMOUSLY**

The meeting recessed at 8:01 p.m.

Respectfully submitted,

Jill G. Kuzmich
Telesco Secretarial Services

City of Bridgeport
Planning and Zoning Commission
Public Hearing, Reconvened
October 15, 2013
Page 8