



**CITY OF BRIDGEPORT  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
NOVEMBER 9, 2022**

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

**ATTENDANCE:** Ira Nachem, Chairman; Greg Breland, Paul Miller, Robin Shepard

**OTHERS:** Paul Boucher, Zoning Official; Atty. Russ Liskov, Jackson Strong, Design Coordinator

**CALL TO ORDER**

Commissioner Nachem called the meeting to order at 6:05 p.m. He introduced the Commissioners seated. Commissioner Nachem explained that because there were only four Commissioners seated, each application required a unanimous vote for approval.

**CITY BUSINESS**

The Planning Department – Lynn Haig, Director

Ms. Lynn Haig came forward and distributed copies of the new Zone Bridgeport document. She then explained that the zoning code had been rewritten. The goal was to simplify and modernize the code and improve the quality of development. The previous code was focused on land use. However, Bridgeport had a rich architectural history. This update included a survey of every property and develop zones around the building type, which is form based plan. The form based plan includes facade materials, and elements; entrance types, parking access and location, and where the mechanical equipment is located. Zone Bridgeport includes site planning and MPD requirements for parcels that are over 3+ acres. The Plan also includes environmentally friendly goals such as increasing the number of trees, improving waterways and waterfronts and also acknowledges solar panels, green roofs and permeable pavement. The new plan is streamlined and organized for efficiency and includes more as-of right approvals.

The Zone Plan is developed to support infill development, and the standards allow for flexibility in building types. The Plan also facilitates adaptive reuse and alterations of pre-existing structures. The Plan can be accessed online and provides easy to find property searches with specific zoning information and links to the relevant code sections.

Ms. Haig then reviewed the role of the ZBA in protecting Zoning Bridgeport. She noted that the variances will not substantially affect the comprehensive Plan Bridgeport. Some of the

developers are reluctant to adapt the new vision. She also cautioned the Commissioners regarding setting new precedents.

Ms. Haig was asked if there was a definition of "hardship". Mr. Boucher said that the question would be answered by the City Attorney.

This concluded the informational presentation.

### **DEFERRED BUSINESS**

**D-1 (#7) 1546 & 1562 Fairfield Ave. – Petition of Friendly Homes Solution, LLC – Seeking a variance of section 3.40.5 to allow a driveway access width of 24-feet at the property line and a variance of section 3.40.9 to convert the former funeral home into a 16-unit apartment building with a 2nd story addition and site improvements in the RX1 zone.**

Mr. Wilson Carroll came forward and said that he was representing Friendly Homes Solution, LLC. They are proposing 16 housing units and increasing the driveway width to 24 feet. The current access to the parking area is 20 feet wide.

The site is composed of two lots that have been traditionally considered as one lot. He displayed a drawing showing the units and the parking area, along with a landscaping plan. The existing building is sound, but needs attention. They intend to reuse as much as the structure as possible. Mr. Carroll displayed photos of nearby housing units.

Commissioner Nachem wished to clarify the fact that the footprint would not expand but the second floor would be enlarged. He noted that the City did not have minimum unit sizes.

Mr. Strong, the Design Coordinator, came forward and said that the application had been reviewed and a number of recommendations were made to insure the aesthetics were retained. The developer adapted the recommendations. He noted the restrictions for this type of small building.

Atty. Liskov asked what the surrounding plots were zoned as. Mr. Strong displayed an aerial map showing the zone designation for the area. Mr. Strong came forward to clarify the type of zone that is allowed in the RX 2 designation.

Commissioner Nachem asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Nachem asked if there was anyone present who wished to speak in opposition to the application. Hearing none, Commissioner Nachem closed the hearing on 1546 and 1562 Fairfield Avenue.

## NEW BUSINESS

**#1 2541 Main St. – Petition of Almonte Liquor Store, LLC – Seeking a variance of sec. 10.10.2 (A) which prohibits a package store use within 750-foot radius of a protected use in the MX1 zone.**

Mr. Marlin Moran of 2541 Main Street came forward and submitted the proof of the mailings. He said that they wanted to open a liquor store. There is a restaurant with a bar and a convenience store that sells beer in the same shopping There is a daycare nearby.

Commissioner Miller said that he had spoken with the business employees nearby and they could not name any churches or schools nearby.

Mr. Moran said that there was a daycare center nearby.

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

Commissioner Nachem asked if there was anyone present who wished to speak in opposition to the application.

Mr. Richard Ledyard of 475 Main Street came forward and said that the City had considered this before. He reminded the Commissioners about the Zone Bridgeport comment about creating exceptions to the zoning. He noted that there were eight others present who were opposed to this application.

Mr. Moran said that the business owner did not have the skills to open a restaurant but wanted to switch from managing a T-Mobile store to a liquor store.

**#2 22-96 Williston St. – Petition of Madl Coleman Holdings Company, LLC – Seeking variances of sec. 3.50.4 to reduce the primary street wall required from 80% to 73% and sec. 3.50.5 to increase the driveway width to 24-feet and to permit two driveway access points to allow for the construction of a 4-story, 60-unit apartment building in the RX2 zone. (Request to be deferred to 12/13/22)**

Commissioner Nachem announced that there had been a request to defer this item to the December 13, 2022 meeting.

**#3 1360 Central Ave. – Petition of The Homer C. Godfrey Company – Seeking a variance of sec. 3.50.4 of the minimum build-to-zone setback and the maximum site coverage allowable to construct a second means of egress from the second floor offices and also the**

**addition of an ADA compliant ramp into the 1st floor showroom of the existing masonry supply company in the Industrial zone.**

Ms. Melanie Ruggieri, the Vice President of the Homer C. Godfrey Company came forward and submitted the green mailing receipts. She explained that they were looking to expand their existing second floor space and to add a stairwell and an ADA compliant ramp. She noted that one of the borders of the property is the CT DOT railroad.

Mr. Strong, the Design Coordinator, came forward and said the building in an I zone district. This building is pre-existing and this variance request would not negatively impact the Zone Bridgeport Plan since it is an already existing building.

Commissioner Nachem asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Nachem asked if there was anyone present who wished to speak in opposition to the application. Hearing none, Commissioner Nachem closed the hearing on 1360 Central Avenue.

**#4 553 Center St. – Petition of Just Right Auto Spa – Seeking a variance of sec. 13.30.2 to establish a nonconforming auto detailing location in a portion of the nonconforming workshop building located in the RX1 zone.**

Mr. Justin Riley of 553 Center Street Extension came forward and submitted the green mailing receipts. He said that he has worked on cleaning up the property. He moved to this location recently. He has been in this type of business for the last 10 years.

Mr. Strong, the Design Coordinator, came forward and said the petitioner was seeking a use variance. The current zone does not permit this, but the building is a work shop. He said that there had been a site visit and they had requested the sidewalk be extended to the curb cut along with some landscaping along the buffer strip.

Commissioner Nachem asked if there was anyone present who wished to speak in favor of the application. No one came forward. Commissioner Nachem asked if there was anyone present who wished to speak in opposition to the application. Hearing none, Commissioner Nachem closed the hearing on 553 Center Street.

Commissioner Nachem closed the Public Hearing portion of the meeting at 7:05 p.m.

**DECISION SESSION**

**D-1 (#7) 1546 & 1562 Fairfield Ave. – Petition of Friendly Homes Solution, LLC – Seeking a variance of section 3.40.5 to allow a driveway access width of 24-feet at the property line**

**and a variance of section 3.40.9 to convert the former funeral home into a 16-unit apartment building with a 2nd story addition and site improvements in the RX1 zone.**

Mr. Boucher said that a commercial building can only have up to 6 residential units. When this came before the Design Review, the developer was agreeable to keep the building and change the zone. Otherwise they would demolish the existing building and put up an apartment building with the number of units that they want. The discussion moved to the definition of spot zoning the roles of variances and Planning Zoning.

**\*\* COMMISSIONER MILLER MOVED TO APPROVE AGENDA ITEM D-1 (#7) 1546 & 1562 FAIRFIELD AVE. – PETITION OF FRIENDLY HOMES SOLUTION, LLC – SEEKING A VARIANCE OF SECTION 3.40.5 TO ALLOW A DRIVEWAY ACCESS WIDTH OF 24-FEET AT THE PROPERTY LINE FOR THE FOLLOWING REASON:**

**THE INCREASED WIDTH OF THE DRIVEWAY PROVIDES FOR SAFER INGRESS AND EGRESS FOR THE RESIDENTS.**

**\*\* COMMISSIONER SHEPARD SECONDED.**

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

**\*\* COMMISSIONER MILLER MOVED TO DENY WITHOUT PREJUDICE AGENDA ITEM D-1 (#7) 1546 & 1562 FAIRFIELD AVE. – PETITION OF FRIENDLY HOMES SOLUTION, LLC SEEKING A VARIANCE OF SECTION 3.40.9 TO CONVERT THE FORMER FUNERAL HOME INTO A 16-UNIT APARTMENT BUILDING WITH A 2ND STORY ADDITION AND SITE IMPROVEMENTS IN THE RX1 ZONE FOR THE FOLLOWING REASON:**

**A ZONE CHANGE APPROVAL FROM THE PLANNING & ZONING COMMISSION IS RECOMMENDED TO ALLOW FOR THE 16-UNIT APARTMENT BUILDING.**

**\*\* COMMISSIONER BRELAND SECONDED.**

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

**#1 2541 Main St. – Petition of Almonte Liquor Store, LLC – Seeking a variance of sec. 10.10.2 (A) which prohibits a package store use within 750-foot radius of a protected use in the MX1 zone.**

**\*\* COMMISSIONER NACHEM MOVED TO DENY AGENDA ITEM #1 2541 MAIN ST. – PETITION OF ALMONTE LIQUOR STORE, LLC – SEEKING A VARIANCE OF SEC. 10.10.2 (A) WHICH PROHIBITS A PACKAGE STORE USE WITHIN 750-FEET**

**RADIUS OF A PROTECTED USE IN THE MX1 ZONE FOR THE FOLLOWING REASON:**

**THERE IS NO HARDSHIP WITH THIS PROPERTY THAT WOULD ALLOW FOR A GRANTING OF THE REQUESTED VARIANCE.**

**\*\* COMMISSIONER MILLER SECONDED.**

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

**#2 22-96 Williston St. – Petition of Madl Coleman Holdings Company, LLC – Seeking variances of sec. 3.50.4 to reduce the primary street wall required from 80% to 73% and sec. 3.50.5 to increase the driveway width to 24-feet and to permit two driveway access points to allow for the construction of a 4-story, 60-unit apartment building in the RX2 zone.**

There was an earlier request to defer this item to the December 13, 2022 meeting.

**#3 1360 Central Ave. – Petition of The Homer C. Godfrey Company – Seeking a variance of sec. 3.50.4 of the minimum build-to-zone setback and the maximum site coverage allowable to construct a second means of egress from the second floor offices and also the addition of an ADA compliant ramp into the 1st floor showroom of the existing masonry supply company in the Industrial zone.**

**\*\* COMMISSIONER SHEPARD MOVED TO APPROVE AGENDA ITEM #3 1360 CENTRAL AVE. – PETITION OF THE HOMER C. GODFREY COMPANY – SEEKING A VARIANCE OF SEC. 3.50.4 OF THE MINIMUM BUILD-TO-ZONE SETBACK AND THE MAXIMUM SITE COVERAGE ALLOWABLE TO CONSTRUCT A SECOND MEANS OF EGRESS FROM THE SECOND FLOOR OFFICES AND ALSO THE ADDITION OF AN ADA COMPLIANT RAMP INTO THE 1ST FLOOR SHOWROOM OF THE EXISTING MASONRY SUPPLY COMPANY IN THE INDUSTRIAL ZONE FOR THE FOLLOWING REASONS:**

- 1. THE STAIRS PROVIDE FOR THE SAFETY OF CLIENTS AND WORK STAFF.**
- 2. THE RAMP BRINGS THE BUILDING INTO ADA COMPLIANCE.**

**\*\* COMMISSIONER NACHEM SECONDED.**

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

**#4 553 Center St. – Petition of Just Right Auto Spa – Seeking a variance of sec. 13.30.2 to establish a nonconforming auto detailing location in a portion of the nonconforming workshop building located in the RX1 zone.**

**\*\* COMMISSIONER SHEPARD MOVED TO APPROVE AGENDA ITEM #4 553 CENTER ST. – PETITION OF JUST RIGHT AUTO SPA – SEEKING A VARIANCE OF SEC. 13.30.2 TO ESTABLISH A NONCONFORMING AUTO DETAILING LOCATION IN A PORTION OF THE NONCONFORMING WORKSHOP BUILDING LOCATED IN THE RX1 ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. A SIDEWALK WILL BE INSTALLED ON CENTER STREET, CONSTRUCTED TO CITY STANDARDS.**
- 2. A 3-FOOT LANDSCAPING BUFFER WILL BE INSTALLED ALONG THE FRONT PROPERTY LINE.**
- 3. ALL WORK IS TO BE DONE WITHIN THE EXISTING BUILDING.**

**FOR THE FOLLOWING REASON:**

**THE WORKSHOP BUILDING TYPE INCLUDES AUTO DETAILING AS AN APPROVED USE.**

**\*\* COMMISSIONER BRELAND SECONDED.**

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

#### **OTHER BUSINESS**

**OB-1 Standish vs ZBA (June 9, 2020) [Docket #CV-20-6098190] – Settlement agreement.**

**\*\* COMMISSIONER SHEPARD MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION.**

**\*\* COMMISSIONER BRELAND SECONDED.**

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

The Commissioners and Atty. Liskov entered into Executive Session at 7:32 p.m. They returned to public session at 7:41 p.m. There were no actions taken or motions made during Executive Session.

**\*\* COMMISSIONER NACHEM MOVED TO APPROVE THE SETTLEMENT AGREEMENT FOR AGENDA ITEM OB-1 STANDISH VS ZBA (JUNE 9, 2020) [DOCKET #CV-20-6098190].**

**\*\* COMMISSIONER BRELAND SECONDED.**

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

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

There were no additional matters to consider at this time.

## **APPROVAL OF MINUTES**

Approval of ZBA Minutes for August 10, 2022 – Present: Acting Chairman: Ira NACHEM.  
Commissioners: Tiheba Bain, Mary Gaits and Robin Shepard. ZBA Clerk: Paul Boucher

Approval of ZBA Minutes for October 11, 2022 – Present: Acting Chairman: Ira NACHEM.  
Commissioners: Mary Gaits, Paul Miller, and Robin Shepard. ZBA Clerk: Paul Boucher

There was not a quorum of Commissioners present for the minutes at this time.

## **ADJOURNMENT**

**\*\* COMMISSIONER NACHEM MOVED TO ADJOURN.**

**\*\* COMMISSIONER MILLER SECONDED.**

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

The meeting adjourned at 7:43 p.m.

Respectfully submitted,

Telesco Secretarial Services