



ZONING BOARD OF APPEALS  
**JULY 14, 2020**  
**REGULAR MEETING**  
CITY OF BRIDGEPORT

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

**ATTENDANCE:** Maria Alves, Acting Chair; John Carolan, Edward McLaine, Ira Nachem, Robin Shepard,

**STAFF:** Dennis Buckley, Zoning Official, Nicholas Sampieri, Zoning Inspector; Atty. Russell Liskov, City Attorney's Office

**CALL TO ORDER.**

Commissioner Alves called the meeting at 6:06 p.m. on Tuesday, July 14, 2020. She then read the following statement into the record:

This Zoning Board of Appeals meeting complies with Governor Lamont's Executive Order 7b as it relates to a web-based meeting, Therefore, the in person requirement is eliminated as long as a person can participate by phone or video in real time. Also, the sign postage requirement and the return receipt of notification to property owners has also been eliminated as long as the ZBA agenda has been online complying with the statutes normal [inaudible] publication date in the Connecticut Post.

This agenda was placed on the City website on July 6, 2020, which complied with that requirement. This meeting is being recorded to comply with the Open Meeting Requirements and will be available on the City web page following each meeting.

Commissioner Alves called the roll and announced the names of the Commissioners seated.

Mr. Buckley said that the staff had checked, and the agenda items had been posted on July 6, 2020

**(C-1) 580 North Ave. – Petition of 547 North Ave Bridgeport Realty, LLC – Appealing under Sec. 14-10 of the Zoning regulations of the City of Bridgeport and Sec. 8-7 of the CT General Statutes, whereby it is alleged that the Zoning Officer**

**erred in his decision in the issuance of a Certificate of Occupancy for a gas station convenience store use while the project was the subject of ongoing litigation.**

Mr. Buckley said that he had received a letter from Atty. Joel Green dated July 13, 2020. He said that Atty. Green had a schedule conflict. He said that he was still reviewing documents submitted by Attorney Willinger but was still waiting for some of the documents. Atty. Green's letter contained a request to continue the item to the next meeting.

Atty. Liskov urged the Commissioners to be liberal in granting a continuance.

Commissioner Nachem noted that this item had been continued last month because of the documents not being received in a timely fashion.

There was a general consensus among the Commissioners seated that a continuance should be granted.

Atty. Liskov said that he would be calling the attorneys to inform them that the Board does not look favorably on these types of delays.

**\*\* COMMISSIONER NACHEM MOVED TO APPROVE THE REQUEST TO CONTINUE AGENDA ITEM (C-1) 580 NORTH AVE. – PETITION OF 547 NORTH AVE BRIDGEPORT REALTY, LLC – APPEALING UNDER SEC. 14-10 OF THE ZONING REGULATIONS OF THE CITY OF BRIDGEPORT AND SEC. 8-7 OF THE CT GENERAL STATUTES, WHEREBY IT IS ALLEGED THAT THE ZONING OFFICER ERRED IN HIS DECISION IN THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR A GAS STATION CONVENIENCE STORE USE WHILE THE PROJECT WAS THE SUBJECT OF ONGOING LITIGATION TO TUESDAY, AUGUST 11, 2020.**

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

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

**#1 1905 Barnum Ave. – Petition of Muhammad Ali Zulekfal – Seeking a variance of the prohibition of expanding a nonconforming use under Sec. 14-12-3a, also seeking to grant under Sec. 14-4 of the CT. General Statutes an additional Certificate of Location for a used car dealership and the issuance of a used car dealer license in a portion of an existing commercial building currently housing a general repair facility in an OR zone.**

Mr. Muhammad Ali Zulekfal of Stevens Street in Norwalk came forward and said that he was looking to establish a car dealership on the site. There is already a tenant in the

building that does auto repairs. He is looking to have 5 cars for sale. There will be one additional employee beside Mr. Ali Zulekfal.

Commissioner McLaine asked if the tenant who was already on the site would be remaining there. Mr. Ali Zulekfal said that the tenant would be remaining. Commissioner McLaine said that the site was a mess and there were cars all over the place.

Mr. Ali Zulekfal said that the tenant was the one who had the cars all over the place. He will be using half of the property. The tenant told Mr. Ali Zulekfal that the customers had left the vehicles on the property and they need to be junked.

Commissioner Nachem said that the site already had 98% site coverage and there was no landscaping area.

Commissioner Alves asked where they would be displaying his cars. Mr. Ali Zulekfal said that it would be in the front.

Commissioner Alves asked if there was a dumpster on site. Mr. Ali Zulekfal said that there wasn't one now but one could be placed underneath the stairs.

Commissioner Alves asked if there was anyone who was on the call that wished to speak in favor of the petition. No one came forward.

Commissioner Alves asked if there was anyone who was on the call that wished to speak against the petition.

Mr. John Ortiz, of Stratford CT, spoke. Mr. Ortiz said that he was a property owner behind the site. He said that there were too many vehicles on the site and they are parked on street and on the sidewalk. There is garbage blowing onto Mr. Ortiz's property. They have only painted a small part of the building and the property is a mess. It will be an overuse of the property.

Commissioner Alves asked if there was anyone else who was on the call that wished to speak against the petition. No one came forward.

Mr. Ali Zulekfal said that the neighbor wanted to buy the property, but Mr. Ali Zulekfal bought it. One of the neighbors is the one that is selling the cars on the street. There are a few other dealerships on the street. He said that he bought the property, paid the taxes but he cannot force his tenant to clean up the property. He gave the Commission a new land survey that the Commission wanted.

**\*\* COMMISSIONER NACHEM MOVED TO DENY AGENDA ITEM #1 1905 BARNUM AVE. – PETITION OF MUHAMMAD ALI ZULEKFAL – SEEKING A VARIANCE OF THE PROHIBITION OF EXPANDING A NONCONFORMING USE UNDER SEC. 14-12-3A, ALSO SEEKING TO GRANT UNDER SEC. 14-4 OF THE CT. GENERAL STATUTES AN ADDITIONAL CERTIFICATE OF LOCATION FOR A USED CAR DEALERSHIP AND THE ISSUANCE OF A USED CAR DEALER LICENSE IN A PORTION OF AN EXISTING COMMERCIAL BUILDING CURRENTLY HOUSING A GENERAL REPAIR FACILITY IN AN OR ZONE FOR THE FOLLOWING REASONS:**

- 1. THE GRANTING OF THIS PETITION WOULD RESULT IN AN OVERUSE OF THE SUBJECT PROPERTY.**
- 2. THE PETITIONER FAILED TO ESTABLISH AN UNUSUAL CONDITION OR HARDSHIP RELATING TO THIS APPLICATION OR PARCEL OF PROPERTY.**
- 3. THERE IS NOT ADEQUATE OFF-STREET PARKING FOR CUSTOMERS AND EMPLOYEE VEHICLES AS WELL AS A DISPLAY AREA FOR USED CARS AT THIS LOCATION.**

**\*\* COMMISSIONER CAROLAN SECONDED.**

**\*\* THE MOTION TO DENY PASSED UNANIMOUSLY.**

Commissioner Alves closed the public hearing portion of the meeting at 6:35 p.m.

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

There were no additional items to consider at this time.

**APPROVAL OF MINUTES**

**Approval of ZBA Minutes for March 10, 2020** – Present: Acting Chairperson: Maria Alves. Commissioners: John Carolan, Edward “Joe” McClain, and Robin Shepard. Staff: Dennis Buckley, Zoning Clerk, Paul Boucher, Assistant Zoning Official and Nicholas Sampieri, Zoning Inspector. Office of City Attorney: Russell Liskov.

Commissioner McLaine said that he had only received part of the March minutes and was missing page 2. These will be tabled to the next meeting.

**Approval of ZBA Minutes for April 21, 2020** (rescheduled from April 14 due to no quorum) – Present: Acting Chairperson: Maria Alves. Commissioners: Robin Shepard. Alternate Commissioners: Michael Jacques and Ira NACHEM. Staff: Dennis Buckley,

Zoning Clerk, Paul Boucher, Assistant Zoning Official and Nicholas Sampieri, Zoning Inspector. Office of City Attorney: Russell Liskov.

Commissioner Alves noted that Commissioner Jacques was not on the call, so these minutes will be tabled at this time to next month.

**Approval of ZBA Minutes for May 12, 2020** – Present: Acting Chairperson: Maria Alves. Commissioners: John Carolan, Edward “Joe” McClain and Robin Shepard. Alternate Commissioners: Michael Jacques and Ira NACHEM. Staff: Dennis Buckley, Zoning Clerk, Paul Boucher, Assistant Zoning Official, and Nicholas Sampieri, Zoning Inspector. Office of City Attorney: Russell Liskov.

The following corrections were noted:

Page 1, paragraph 3, Line 2: please change the following from:

“presenters will be unmated”  
to: “presenters will be unmuted”

Page 1, paragraph 3, line 4: please change the following from:

“Commissioner Alvarez have the administrative capabilities  
to: Commissioner Alves have the administrative capabilities

**\*\* COMMISSIONER MCLAIN MOVED TO APPROVE THE MINUTES FOR MAY 12, 2020 AS CORRECTED.**

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

**\*\* THE MOTION TO APPROVE THE MINUTES FOR MAY 12, 2020 AS CORRECTED PASSED UNANIMOUSLY.**

**Approval of ZBA Minutes for June 9, 2020** – Present: Acting Chairperson: Maria Alves. Commissioners: John Carolan, Edward “Joe” McClain, Michael Nastu and Robin Shepard. Alternate Commissioners: Michael Jacques and Ira NACHEM. Staff: Dennis Buckley, Zoning Clerk, Paul Boucher, Assistant Zoning Official, Nicholas Sampieri, Zoning Inspector and Lynn Haig, Planning Director. Office of City Attorney: Russell Liskov.

The following corrections were noted:

Page 1, under **STAFF**: please add “Dennis Buckley, Zoning Clerk;”  
Page 1, under **STAFF**: please remove “Diane Lord” and “Lynn Haig”

Page 1, under **OTHERS**: please add “Atty. Diane Lord, Willinger, Willinger and Buccì” and “Lynn Haig, Director of Planning”

Page 17, paragraph 2, please change the following from:  
“nonconforming uses are portegnent property rights”  
to: “nonconforming uses are protected property rights”.

**\*\* COMMISSIONER MCLAINE MOVED TO APPROVE THE MINUTES FOR MAY 12, 2020 AS CORRECTED.**

**\*\* COMMISSIONER CAROLAN SECONDED.**

**\*\* THE MOTION TO APPROVE THE MINUTES FOR MAY 12, 2020 AS CORRECTED PASSED UNANIMOUSLY**

Mr. Buckley said that there was a letter about the Royal Flush. Atty. Liskov said that there was an appeal pending.

A discussion followed about when the in-person meetings will resume. Mr. Buckley said that he did not know. City Hall is open by appointment only.

Commissioner Alves asked about posting the notices on the properties. Mr. Buckley said that the staff was doing the posting so that the neighbors know what is going on.

Commissioner McLaine asked about the possibility of having the Commissioners all in one location. It would eliminate some of the confusion and serve the public better. Mr. Buckley said that there are only 4 people allowed in any given space. Commissioner McLaine suggested that they hold the meeting in a different location. Discussion followed. Atty. Liskov said he would look into this matter.

Commissioner McLaine said that there was a new Commissioner and wished to know what the delay was in having him sworn in. Atty. Liskov said that he would check into it.

### ADJOURNMENT

**\*\* COMMISSIONER CAROLAN MOVED TO ADJOURN.**

**\*\* COMMISSIONER MCLAINE SECONDED.**

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

The meeting adjourned at 6:52 p.m.

Respectfully submitted,

S. L.Soltes

City of Bridgeport  
Zoning Board of Appeals  
Regular Meeting  
July 14, 2020

Telesco Secretarial Services