



**CITY OF BRIDGEPORT
ZONING BOARD OF APPEALS
REGULAR MEETING
OCTOBER 10, 2023**

45 Lyon Terrace
Bridgeport, CT 06604
(203) 576-7217 Phone
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ATTENDANCE: Ira Nachem, Chair; Mary Gaits, Secretary, Tiheba Bain, Paul Miller

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

CALL TO ORDER

Commissioner Nachem called the meeting to order at 6:09 p.m. He then announced the Commissioners seated. A quorum was present.

Commissioner Nachem reviewed the process for those present and noted that since there were only four Commissioners present, applications need four votes in favor to pass.

NEW BUSINESS.

#1. RE: 55 LYCETT STREET (REAR) – Petition of Sound Property Development, LLC – Seeking approval for variances of the 30-ft wide access easement requirement of section 10.40.2 (2) for the establishment of a rear building lot, and section 3.120.5 to establish a 2nd driveway in the front lot to permit the construction of a 1-family residential dwelling in the N4 zone.

Atty. Diane Lord of Willinger, Willinger and Bucci came forward to present the application. She submitted the copies of the mailings to Mr. Boucher.

Atty. Lord said that there were two variances involved. She indicated on a site map where the easement for the access drive to a rear lot where a single family dwelling will be located. The floor plans for the residence were displayed and Atty. Lord said that there had been some technical engineering requests made. The neighborhood is comprised of single family homes. The application complies with the Master Plan.

Atty. Lord explained that the current regulations do not allow access and this actually is a hardship because it renders the rear lot unbuildable. Discussion followed about whether emergency vehicles would have access. Atty. Lord said that fire truck was 8 feet wide.

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

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

Ms. April Billings said that she was concerned about the safety of the children in the neighborhood because they play in that area. She also mentioned that the Rooster River is there and there will be flooding in the area. Commissioner Nachem asked Ms. Billings if she was an adjacent property owner. She said that she lived in the North End.

Council Member Michelle Lyons came forward and said that there was a one family house on the property and there is no hardships. These are not lots, they are backyards. She said that they were taking backyards and turning them into housing. Council Member Lyons said that she would fill the Council Chambers with North Enders who will want to know why they are doing this. She said that the developers were coming to the City and doing what they want. Driveways are supposed to be 30 feet wide, not 15 feet. It's time to protect the land.

Ms. Zeno Perthroy of Perth Street came forward and said that she was in agreement with the previous statement. She said that she did not understand the need for another house there. It will make the neighborhood more congested and they need to protect the neighborhood.

There was no one else present who wished to speak in opposition to the application.

Atty. Lord came forward and submitted the GIS map showing the two lots along with the field card, which also indicated that there were two separate lots.

Atty. Lord said that the Rooster River does not have much water in it and there hasn't been a problem with flooding.

#2 – 694 CHOPSEY HILL ROAD – Petition of A New M&M Renovations, LLC – Seeking approval for variances of the minimum lot size requirement of section 3.120.4 for the establishment of a rear building lot, and section 3.120.5 to establish a 2nd driveway in the front lot to permit the construction of a 1-family residential dwelling in the N4 zone.

Ms. Marcie Macedo came forward and submitted the mailing receipts. She displayed a site plan showing the proposed rear building lot and where the access road for the rear portion of the property is. At this time, the parcel has not been subdivided. An elevation drawing for the rear single family residence was displayed. She has owned the property for one year. The existing residence has been rehabbed.

Mr. Jackson Strong came forward and greeted the Commissioners. He said that he did not have much additional information. The rear lot has not been subdivided and so does not currently exist. The proposed lot would be just over 5,000 feet and the current requirement is 7,500 feet.

He spoke about the use of one driveway for multiple residences. He also pointed out that if the variance is granted, they will have to construct a sidewalk along the street frontage.

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

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

Council Member Michelle Lyons said that she had not received any notice about this item being on the agenda. She said that this was basically the same issue as the previous item. Now that they have opened a can of worms, there will be more request to subdivide lots.

Council Member Alfredo Castillo came forward and said he was from the 136th District. He said that people are acquiring properties in order to make more money. It was never intended to have two houses on that property. He said this would be opening a can of worms. The original house was built there and should stay on the single lot.

Ms. April Billings came forward and said that the house had been there for fifty years and the property should remain as one parcel with one residence.

There was no one else present who wished to speak in opposition to the application.

Ms. Macedo came forward and said that there was no difference between a back yard and a building lot. They are trying to do something to help with the housing shortage.

#3 -- 837 SEAVIEW AVENUE – Petition of Seaview Bridgeport, LLC – Seeking approval of variances of section 3.130.9 of the allowable uses; section 3.130.7 to allow a tower roof; section 3.130.5 and section 3.170.7 D (1) to increase the height of the fuel canopy; section 3.130.5 and 3.170.5 for a drive-thru and stacking lanes along the side and front of the building; section 9.50 to permit two (2) free-standing signs, one of which to be 36-ft high within 15-ft of street lot line; section 7.100.3(C) of the fence requirement to permit the construction of a retail gas station and convenience store, fuel pump canopy and diesel pump canopy, also two (2) restaurants with drive-thru service and stacking lanes on-site in the proposed I zone.

Atty. Chris Russo came forward and greeted the Commissioners. He said that he was present on behalf of the applicant. He said that this would be an important addition to the neighborhood.

Atty. Russo said that he had previously presented an application for Stratford Avenue that involved having six fuel pumps. This proposal will be for a gas station and two take away restaurants. This will be an asset for the neighborhood and is often referred to as Steel Point East.

The parcel is located at the end of the Seaview Avenue exit and entrance ramps. There are a number of industrial uses in the area. Steel Point will be right across the river.

Atty. Russo said that there had been a very specific General Development Plan for Steel Point and Steel Point East but since there, the zoning regulations have changed. He said that. They would like to bring the parcel in as an "I" zone because the principal use will be the gas station, which is an industrial zone. There are commercial uses there, also. The gas station will be the same size as existing Cumberland Farms gas stations and offer the same mini-mart type merchandise.

Atty. Russo then gave a brief overview of the details including the 31 parking spaces, EV charging stations and a drive thru along with 12 gas pumps on an aerial view map. He also displayed the elevation drawings.

The subject of signage was the next topic presented. Atty. Russo explained that they need a sign that would be visible from I-95. The higher sign will be near the industrial properties. He also reviewed the details of the canopy which must be higher for commercial trucks.

One of the variances they are requesting is for the retail aspect because the drive thru will be for Dunkin Donuts and there may also be a sub shop. The tower in the complex is permitted in the commercial zone but not in an industrial zone. The plan is a hybrid between industrial and commercial.

Atty. Liskov said that this application was just for the variances, not for the site plan.

The discussion then moved to the location of the highway sign and whether the drivers on the highway would be able to see the sign in time to take the exit.

Commissioner Nachem asked if there was anyone present in favor of the application.

Council Member Ernest Newton came forward and said that he lives on Read Street. He said that he was supporting this. He said that the neighborhood has been waiting for a grocery store and pharmacy for many years. This is a start. He said that they were excited to have a Dunkin Donuts in the area.

Ms. Eneida Martinez came forward and said that she lives on Connecticut Avenue. She has seen development and a lot of demolition. This particular site has been vacant for many years. She said that she was very excited and this would replace the gas station that had closed down.

Council Member Alfredo Castillo came forward and said that this will be good because the residents will be buying their gas in Bridgeport rather than Stratford.

Council President Aidee Nieves came forward and said that she was in favor of this. It is exciting to see this development happening in the East End. She said that she gets her gas downtown because the only gas station in the East End is far away from where she lives. Her husband is excited about Jersey Mike's coming into the plaza.

Council Member Lyons said that everything that they can do to encourage and improve the East End. It will produce something healthy for the City of Bridgeport.

Mr. Keith William, the East End NRZ president, came forward and said that the City is moving forward – not as quickly as they would like – but they are moving forward.

Atty, Russo said that the East End had been given many promises that never were fulfilled. This project is ready to go.

Commissioner Nachem asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Nachem closed the public hearing on 837 Seaview Avenue.

#4 -- 317 CENTER STREET – Petition of Show Car, LLC – Seeking a change of use variance of section 13.30.2 of the former plumbing contractor shop to a motor vehicle muffler shop in the RX2 zone.

Adilson Alves de Macado, came forward with a representative to present the application. The applicant is leasing the property.

Commissioner Nachem said that all the work must be done inside the building. Commissioner Nachem asked if there would be a sign on the building. He was told that there would be a sign.

Mr. Strong came forward and greeted the Commission. He said that it was a change of use because the prior use was a plumbing contractor. He had a number of stipulations including the work be done inside and there should be no retail sales. The garage door must remain shut to reduce noise. All vehicles must be on the property and not blocking the sidewalk or driveways.

Commissioner Nachem asked if there was anyone present in favor of the application.

Council Member Alfredo Castillo of the 136th District came forward. He said that it would be important to keep the property nice with landscaping. He was in favor of the application.

Commissioner Nachem asked if there was anyone present who wished to speak against the application. Hearing none, Commissioner Nachem closed the public hearing on 317 Center Street.

#5. RE: 60 ARMITAGE DRIVE – Petition of Brian O’Connor – Seeking an approval of a side setback variance of the minimum 20-ft required to legalize the previously constructed, 1350-sq.ft., 2-story addition of a 3-bay garage with the 2nd story consisting of 2-bedrooms, dining room and family room to the existing single-family residence in the N3 zone.

Commissioner Nachem said that the applicant had submitted a letter requesting a deferral to the next regularly scheduled meeting.

RECESS

Commissioner Nachem announced a recess at 7:46 p.m. He reconvened the meeting at 7:53 p.m.

DECISION SESSION

#1 - RE: 55 LYCETT STREET (REAR) – Petition of Sound Property Development, LLC – Seeking approval for variances of the 30-ft wide access easement requirement of section 10.40.2 (2) for the establishment of a rear building lot, and section 3.120.5 to establish a 2nd driveway in the front lot to permit the construction of a 1-family residential dwelling in the N4 zone.

**** COMMISSIONER NACHEM MOVED TO DENY AGENDA ITEM #1 - RE: 55 LYCETT STREET (REAR) – PETITION OF SOUND PROPERTY DEVELOPMENT, LLC – SEEKING APPROVAL FOR VARIANCES OF THE 30-FT WIDE ACCESS EASEMENT REQUIREMENT OF SECTION 10.40.2 (2) FOR THE ESTABLISHMENT OF A REAR BUILDING LOT, AND SECTION 3.120.5 TO ESTABLISH A 2ND DRIVEWAY IN THE FRONT LOT TO PERMIT THE CONSTRUCTION OF A 1-FAMILY RESIDENTIAL DWELLING IN THE N4 ZONE FOR THE FOLLOWING REASONS:**

- 1. TO ALLOW A HOUSE BEHIND A HOUSE IS A STEP TOWARD CHANGING THE FABRIC OF THE NEIGHBORHOOD.**
- 2. BY ALLOWING A HOUSE BEHIND A HOUSE OPENS THE DOOR TO OTHER PROPERTY OWNERS TO DO THE SAME THING.**
- 3. IT WILL INCREASE THE DENSITY OF THE NEIGHBORHOOD.**
- 4. THERE IS NO HARDSHIP.**

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

#2 – 694 CHOPSEY HILL ROAD – Petition of A New M&M Renovations, LLC – Seeking approval for variances of the minimum lot size requirement of section 3.120.4 for the establishment of a rear building lot, and section 3.120.5 to establish a 2nd driveway in the front lot to permit the construction of a 1-family residential dwelling in the N4 zone.

**** COMMISSIONER NACHEM MOVED TO APPROVE AGENDA ITEM #2 – 694 CHOPSEY HILL ROAD – PETITION OF A NEW M&M RENOVATIONS, LLC – SEEKING APPROVAL FOR VARIANCES OF THE MINIMUM LOT SIZE REQUIREMENT OF SECTION 3.120.4 FOR THE ESTABLISHMENT OF A REAR BUILDING LOT, AND SECTION 3.120.5 TO ESTABLISH A 2ND DRIVEWAY IN THE FRONT LOT TO PERMIT THE CONSTRUCTION OF A 1-FAMILY RESIDENTIAL DWELLING IN THE N4 ZONE.**

**** THE MOTION FAILED DUE TO A LACK OF A SECOND.**

**** COMMISSIONER NACHEM MOVED TO DENY AGENDA ITEM #2 – 694 CHOPSEY HILL ROAD – PETITION OF A NEW M&M RENOVATIONS, LLC – SEEKING APPROVAL FOR VARIANCES OF THE MINIMUM LOT SIZE REQUIREMENT OF SECTION 3.120.4 FOR THE ESTABLISHMENT OF A REAR BUILDING LOT, AND SECTION 3.120.5 TO ESTABLISH A 2ND DRIVEWAY IN THE FRONT LOT TO PERMIT THE CONSTRUCTION OF A 1-FAMILY RESIDENTIAL DWELLING IN THE N4 ZONE FOR THE FOLLOWING REASONS:**

- 1. THERE IS NO HARDSHIP.**
- 2. TO ALLOW A HOUSE BEHIND A HOUSE IS A STEP TOWARD CHANGING THE FABRIC OF THE NEIGHBORHOOD.**
- 3. A SIZEABLE BACKYARD IS AN ASSET OF THE PROPERTY.**
- 4. THE PROPERTY DIVISION CREATES A LOT THAT IS NON-CONFORMING IN LOT SIZE.**
- 5. THE SUBDIVISION WILL LEAD TO A DECREASE IN PROPERTY VALUES.**

**** COMMISSIONER MILLER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#3 -- 837 SEAVIEW AVENUE – Petition of Seaview Bridgeport, LLC – Seeking approval of variances of section 3.130.9 of the allowable uses; section 3.130.7 to allow a tower roof; section 3.130.5 and section 3.170.7 D (1) to increase the height of the fuel canopy; section 3.130.5 and 3.170.5 for a drive-thru and stacking lanes along the side and front of the building; section 9.50 to permit two (2) free-standing signs, one of which to be 36-ft high within 15-ft of street lot line; section 7.100.3(C) of the fence requirement to permit the construction of a retail gas station and convenience store, fuel pump canopy and diesel pump canopy, also two (2) restaurants with drive-thru service and stacking lanes on-site in the proposed I zone.

**** COMMISSIONER NACHEM MOVED TO APPROVE AGENDA ITEM #3 -- 837 SEAVIEW AVENUE – PETITION OF SEAVIEW BRIDGEPORT, LLC – SEEKING APPROVAL OF VARIANCES OF SECTION 3.130.9 OF THE ALLOWABLE USES;**

SECTION 3.130.7 TO ALLOW A TOWER ROOF; SECTION 3.130.5 AND SECTION 3.170.7 D (1) TO INCREASE THE HEIGHT OF THE FUEL CANOPY; SECTION 3.130.5 AND 3.170.5 FOR A DRIVE-THRU AND STACKING LANES ALONG THE SIDE AND FRONT OF THE BUILDING; SECTION 9.50 TO PERMIT TWO (2) FREE-STANDING SIGNS, ONE OF WHICH TO BE 36-FT HIGH WITHIN 15-FT OF STREET LOT LINE; SECTION 7.100.3(C) OF THE FENCE REQUIREMENT TO PERMIT THE CONSTRUCTION OF A RETAIL GAS STATION AND CONVENIENCE STORE, FUEL PUMP CANOPY AND DIESEL PUMP CANOPY, ALSO TWO (2) RESTAURANTS WITH DRIVE-THRU SERVICE AND STACKING LANES ON-SITE IN THE PROPOSED I ZONE FOR THE FOLLOWING REASONS:

- 1. THE APPROVED HEIGHT OF THE CANOPY ALLOWS FOR THE FUELING OF TRUCKS AND BOATS.**
- 2. THE APPROVED HEIGHT OF THE SIGN IS NECESSARY FOR ATTRACTING THE ATTENTION OF HIGHWAY TRAVELERS.**
- 3. THE PROPOSED MIXED-USE COMMERCIAL DEVELOPMENT PROVIDES BENEFITS TO THE IMMEDIATE AREA AND HAS A CITY-WIDE APPEAL.**
- 4. THE UNIQUE SHAPE OF THE SITE IS THE HARDSHIP.**

**** COMMISSIONER GAITS SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#4 -- 317 CENTER STREET – Petition of Show Car, LLC – Seeking a change of use variance of section 13.30.2 of the former plumbing contractor shop to a motor vehicle muffler shop in the RX2 zone.

**** COMMISSIONER GAITS MOVED TO APPROVE AGENDA ITEM #4 -- 317 CENTER STREET – PETITION OF SHOW CAR, LLC – SEEKING A CHANGE OF USE VARIANCE OF SECTION 13.30.2 OF THE FORMER PLUMBING CONTRACTOR SHOP TO A MOTOR VEHICLE MUFFLER SHOP IN THE RX2 ZONE WITH THE FOLLOWING CONDITIONS:**

- 1. ALL ACTIVITIES ASSOCIATED WITH THE BUSINESS MUST BE CONDUCTED INDOORS.**
- 2. TO MITIGATE NOISE IMPACTS TO NEIGHBORING PROPERTIES, THE FRONT BAY SHALL REMAIN CLOSED DURING BUSINESS HOURS.**
- 3. CUSTOMER AND EMPLOYEE VEHICLES MUST NOT BLOCK THE PUBLIC RIGHT-OF-WAY.**

FOR THE FOLLOWING REASONS:

- 1. THE EXISTING INDUSTRIAL BUILDING IS CONDUCIVE TO THE NEW USE.**

2. THERE WILL BE NO ADVERSE IMPACT ON THE NEIGHBORHOOD.

**** COMMISSIONER MILLER SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

#5. RE: 60 ARMITAGE DRIVE – Petition of Brian O’Connor – Seeking an approval of a side setback variance of the minimum 20-ft required to legalize the previously constructed, 1350-sq.ft., 2-story addition of a 3-bay garage with the 2nd story consisting of 2-bedrooms, dining room and family room to the existing single-family residence in the N3 zone.

This item was deferred to November 14, 2023.

OTHER BUSINESS.

There were no additional items to consider at this time.

OTHER MATTERS THAT MAY PROPERLY COME BEFORE THE BOARD

There were no additional items to consider at this time.

APPROVAL OF THE MINUTES

• September 13, 2023

**** COMMISSIONER NACHEM MOVED TO APPROVE THE MINUTES OF THE SEPTEMBER 13, 2023 MEETING.**

**** COMMISSIONER BAIN SECONDED.**

**** THE MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 13, 2023 MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

ADJOURNMENT

**** COMMISSIONER GAITS MOVED TO ADJOURN.**

**** COMMISSIONER SHEPARD SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:16 p.m.

Respectfully submitted,

Telesco Secretarial Services

City of Bridgeport
Zoning Board of Appeals
Regular Meeting
August 8, 2023