

Board of Selectmen Special Meeting  
October 18, 2017  
APPROVED MINUTES

Notice is hereby given that the Westport Board of Selectmen held a special public meeting on Wednesday, October 18, 2017 at 8:30 a.m. in the **Auditorium** of the Westport Town Hall. In attendance were Jim Marpe, Avi Kaner, Helen Garten, Steve Edwards, Eileen Flug, presenters as noted in the minutes, members of the public, and Eileen Francis, recording secretary.

The item was a continued discussion of the previously postponed Board of Selectmen Agenda Item #6 of October 11, 2017 as follows:

To take such action as the meeting may determine, to approve a temporary construction easement between the Town of Westport and Buttendorf Building & Remodeling, LLC for five (5) parking spaces located on Town property known as Old Mill Parking Lot, and further; to authorize First Selectman James Marpe to sign a letter agreeing that the Town will not use the easement around the westerly and northerly sides of the dwelling at 36 Old Mill Road that was granted to the Town by the owner of 36 Old Mill Road, dated April 3, 1990, and further described in the Town of Westport Land Records at Book 1051, Page 233, for a period of time not to exceed ninety (90) days while the dwelling at 36 Old Mill Road is raised and secured on a new or modified foundation, contingent upon compliance with all requirements from relevant town departments.

Attorney Ken Bernhard, representing members of the Compo Mill Cove Association and Andrew Buttendorf, representing Buttendorf Building and Remodeling, LLC and the owners of the property at 36 Old Mill Road, Mr. and Mrs. Sonsino, presented before the Board.

Discussion continued as to the conditions for granting the temporary construction easement. It was determined, that certain conditions would be enforced and/or included in the easement to accommodate the builder and the residents of Compo Mill Cove. These include but are not limited to the following:

- The number of parking spaces was reduced from 5 to 3. Those parking spaces were identified, noting that they would be cleared of construction materials, temporary fencing would be pushed to the property line, allowing the spaces to be open to the public on weekends and legal holidays;
- Notification to owners of abutting properties as to when the construction will commence will be provided;
- The term shall not commence after December 1, 2017 and will expire on February 28, 2018; and
- The Grantee shall appear before the Board approximately 45 days after the construction project commences for review and possible modification.

Additional conditions are included in the Temporary Construction Easement document, to be executed by Buttendorf Building & Remodeling, LLC, and the Consent and Agreement Regarding the Use of the Easement granted to the Town by the Owners of 36 Old Mill Road, to be executed by Mr. and Mrs. Sonsino. Included in the easement is consent by the Town for the construction of a stairway into the easement area, subject to the restoration of a minimum 4-foot wide passable path and further, that the Grantee provide a survey of the resulting new easement area within thirty (30) days after stairway construction is complete.

Upon motion by Avi Kaner, seconded by Helen Garten and passing by a vote of 3-0, the Board approved the amendments to the original agenda item.

Upon motion by Avi Kaner, seconded by Helen Garten and passing by a vote of 3-0, it was:

RESOLVED, that a Temporary Construction Easement between the Town of Westport and Buttendorf Building & Remodeling, LLC for three (3) parking spaces located on Town property known as Old Mill Parking Lot, for a period of time not to exceed ninety (90) days and in no event after February 28, 2018, excluding weekends and legal holidays, with notification to abutting property owners, and in compliance with conditions as further described in the Easement document; and

FURTHER RESOLVED, that First Selectman James Marpe is authorized to sign a letter agreeing that the Town will not use the easement around the westerly and northerly sides of the dwelling at 36 Old Mill Road that was granted to the Town by the owner of 36 Old Mill Road, dated April 3, 1990, and further described in the Town of Westport Land Records at Book 1051, Page 233, for a period of time while the dwelling at 36 Old Mill Road is raised and secured on a new or modified foundation, contingent upon compliance with all requirements from relevant town departments, is hereby APPROVED.

Upon motion by Helen Garten, seconded by Jim Marpe and passing by a vote of 3-0, the meeting was adjourned at 10:00 a.m.

Eileen Francis  
Recording Secretary