

PLANNING AND ZONING COMMISSION ACTION MINUTES

July 26, 2018

7:00 PM Auditorium

Approval of minutes: 06/07/18, 06/14/18, 06/21/18, 06/26/18 - APPROVED

I PRE APPLICATION REVIEW

Pre application review to discuss 176 Post Road West and proposal to allow for an electric car company to locate to this site – DISCUSSED, option #1 preferred by majority

II WORK SESSION

Discussion regarding draft text amendment submitted by the Planning and Zoning Commission to add a “Sunset Provision” to Sec 32-24 Small Home Development regulations to eliminate future use of the regulation – DISCUSSED – Do not proceed, leave as is (4 – 2)

{Lebowitz, Walsh, Rutstein, Cohn} in favor {Cammeyer, Stephens} opposed

II PUBLIC HEARING

1. **28 Richmondville Avenue:** *(The following application is continued from 7/12/18 and will be further continued to 9/27/18. No testimony was taken and no testimony will be taken at this hearing)* Appl. #18-026 by Carole Reichhelm/Willowbrook Cemetery Association, Inc. for property owned by Brett David Adler and Juli Adler for a Special Permit and Site Plan approval to convert property to cemetery burial use and to conduct excavation and fill, for property located in a Residence A zone, PID #C12170000.

Action: Hearing continued to 9/27/18. No testimony taken

2. **Text Amendment #750:** *(The following application has been withdrawn by the applicant)* Appl. #18-031 by Attorney Alan R. Spierer for a text amendment to the Westport Zoning Regulations to amend §11, Residence AAA, to create a new Floating Zone, §11-14, Agricultural Heritage Overlay District. Eligible parcels shall be located in the Res AAA district and at least twenty-acres in size. Proposed standards require eligible parcels shall be:
 - 1) Subdivided with lot size requirements reduced from the 2-acre to 1-acre;
 - 2) Contain an agricultural parcel that is at least twenty-five percent of the total lot size;
 - 3) Allow development of the agricultural parcel with a single-family residence and a barn not to exceed 2,500 SF, and other outbuildings necessary to operate a farm subject to Special Permit/Site Plan approval;
 - 4) Allow operation of a commercial farm stand on a seasonal basis; and
 - 5) Require agricultural land

in lieu of open space for purposes of applying Section 54-21 of the Subdivision Regulations. A copy of the proposed amendment is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office.

Action: Application was withdrawn by the applicant

3. **111 Harbor Road:** *(The following application has been withdrawn by the applicant)* Appl. #18-033 by Don Fairbanks for property owned by Richard and Karen Leever for a Coastal Site Plan approval for a new single family dwelling for property located in a Residence A zone, PID #B02142000.

Action: Application was withdrawn by the applicant

4. **42 and 44 Shorehaven Road:** Appl. #18-030 by 42 Shorehaven Road, LLC and Jonathan Clark Farber c/o John F. Fallon, Esq. for a Coastal Site Plan approval for a new single family dwelling for property located in a Residence AA zone, PID #A01009000 and PID #A01007000.

Seated: Paul Lebowitz, Catherine Walsh, Chip Stephens, Michael Cammeyer, Greg Rutstein, Neil Cohn

Action: Approved

Vote: 6 - 0

5. **16 Salem Road:** Appl. #18-034 by Marlon Dale, Milton Development for property owned by Ian and Suzannah Rogers for a Special Permit and Site Plan approval for excavation and fill, for property located in a Residence AA zone, PID #F10013000.

Seated: Paul Lebowitz, Catherine Walsh, Chip Stephens, Michael Cammeyer, Greg Rutstein, Neil Cohn

Action: Granted

Vote: 6 - 0

6. **233 Hillspoint Road:** Appl. #18-035 by 233 LLC, c/o John F. Fallon for property owned by 233 LLC for a Coastal Site Plan approval for a new single family dwelling, for property located in a Residence B zone, PID #E04107000.

Seated: Paul Lebowitz, Catherine Walsh, Chip Stephens, Michael Cammeyer, Greg Rutstein, Neil Cohn

Action: Approved

**Vote: 5 - 0 - 1 {Lebowitz, Walsh, Cammeyer, Rutstein, Cohn} in favor
 {Stephens} abstained**

IV WORK SESSION

(The following items will be discussed and voted on as time permits. The public may observe the work session, but not participate)

Old Business

- a) **Amendment 745:** *(Must decide by 9/15/18)* Appl. #18-003 by Coalition for Westport, c/o Lawrence Weisman for an amendment to the Westport Zoning Regulations to modify §5, §23,

§24, §29, §29A to allow flexible zoning criteria for Theaters and Assembly Halls in commercial districts. A copy of the proposed amendment is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office.

Action: No Action

New Business

- a) Process Efficiency Subcommittee Chair sought and obtained endorsement to proceed with an amendment to modify §5 2, Change of Use**

ANNUAL MEETING (Continued)

- 3. P&Z Committees
- 5. Update on Planning and Zoning Issues
- 6. Planning and Zoning Goals and Objectives
- 7. Planning and Zoning By-Law Review
- 8. Other