

PLANNING AND ZONING COMMISSION ACTION MINUTES

November 8, 2018

7:00 PM Auditorium

I WORK SESSION

- a) **1177 Post Road East, Planning and Zoning Resolution #16-011, request for release of bond**
Bond releases

II PUBLIC HEARING

1. **259 Saugatuck Avenue and 1 Charmer's Landing:** *(The following application is continued from 11/1/18 and will be further continued to 11/15/18. No testimony was taken and no testimony will be taken at this hearing)* Appl. #18-058 by Peter Romano/LANDTECH for property owned by Charmers Landing Property, LLC for a Coastal Area Site Plan for a new single family dwelling, for property located in a Residential AA zone, PID #B04027000 and #B04028000.

Action: Hearing continued to 11/15/18, no testimony taken

The following two applications will be reviewed concurrently:

2. **Amendment #755:** Appl. #18-060 by Eric D. Bernheim, Esq. for a text amendment to the Westport Zoning Regulations to amend §6-6.2 (Non-Conforming Automobile Dealerships), to establish standards for split zoned lots (General Business District and Residential) and to allow for the conversion of non-conforming gasoline automobile dealerships to Electric Vehicle Automobile Dealerships (EVAD) and service centers to include the following incentives: 1) allow grading within five (5) feet of any property line; 2) allow an increase of 8,000 square feet of additional floor area, for a maximum of 18,000 square feet; 3) increase the Floor Area Ratio to 0.28; 4) increase the allowed building coverage on the lot to 28%; and 5) allow the relocation of drive aisles and parking spaces to the residential portion of the property. 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.

Seated: Lebowitz, Dobin, Walsh, Stephens, Gratrix Cammeyer, Rutstein

Action: Adopted, effective date: 11/25/18

Vote: 5 – 2 {Lebowitz, Dobin, Walsh, Cammeyer, Rutstein} in favor
{Stephens, Gratrix} opposed

3. **176 Post Road West:** Appl. #18-061 by Peter Romano/LANDTECH for property owned by 176 PRW LLC for a Special Permit and Site Plan approval for an addition to existing building for an electric vehicle repair and maintenance facility and site work for property located in a GBD/Res AA/BPD zone, PID #C09001000.

Seated: Lebowitz, Dobin, Walsh, Stephens, Gratrix Cammeyer, Rutstein

Action: Hearing closed, no action

4. **12 Great Marsh Road:** *(The following application is continued from 11/1/18. No testimony was taken).* Appl. #18-066 by Richard A. Bennett, P.E. for property owned by 12 Great Marsh Westport, LLC for a Coastal Area Site Plan approval for a new single family dwelling, for property located in a Residence AAA zone, PID #B03016000.

Seated: Lebowitz, Dobin, Walsh, Stephens, Gratrix Cammeyer, Rutstein

Action: Approved

Vote: 7 - 0

5. **21 St. John Place:** Appl. #18-065 by Mel Barr, Barr Associates, LLC for property owned by 21 St. John Place, LLC for a Special Permit and Site Plan approval for excavation and fill, for property located in a Residence A zone, PID #C10122000.

Seated: Lebowitz, Dobin, Walsh, Stephens, Gratrix Cammeyer, Rutstein

Action: Granted

Vote: 7 - 0

6. **22 Guyer Road:** Appl. #18-069 by Piera Panozzo for property owned by Piera Panozzo for a Special Permit and Site Plan approval for excavation and fill, for property located in a Residence A zone, PID #D07133000.

Seated: Lebowitz, Dobin, Walsh, Stephens, Gratrix Cammeyer, Rutstein

Action: Granted

Vote: 7 - 0

III 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 #753:** Appl. #18-050 by the Westport Planning and Zoning Commission for an amendment to the zoning regulations to modify §5-2, Change of Use Definition to clarify Site Plan approval is only required when the designation or construction of more than three parking spaces is needed to support a Change of Use; to remove language requiring Site Plan approval to occupy commercial tenant space that has been vacant for more than one-year; and to remove language requiring Site Plan approval to convert vacant lot area to parking area as such change is eligible for a Site Plan Waiver. 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.

Seated: Lebowitz, Dobin, Walsh, Stephens, Gratrix Cammeyer, Rutstein

Action: Adopted in part/denied in part, effective date 11/25/18

Vote: 6 - 1 {Dobin, Walsh, Stephens, Gratrix Cammeyer, Rutstein}
{Lebowitz} abstained

- b) **Amendment #752:** Appl. #18-044 by Mel Barr, Barr Associates, LLC for an amendment to the zoning regulations to modify standards in the RORD #3, Sec 22-2.2.2, for fitness centers and or exercise facilities. 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.

Seated: Lebowitz, Dobin, Walsh, Stephens, Gratrix Cammeyer, Rutstein

Action: Adopted, effective date 11/25/18

Vote: 7 – 0

- c) **Interpretation of Sec. 6-2, Non Conforming Buildings and Structures.** Request for confirmation of interpretation by Planning and Zoning Staff – **Staff to prepare a text amendment**

New Business:

- a) **Discussion about draft text amendment to modify zoning regulations to be consistent with changes to the Building Code regarding FEMA requirements.**

Action Needed: Planning and Zoning Commission to authorize amendment to proceed to public hearing – **Staff to prepare a text amendment**

ANNUAL MEETING (Continued) – NO ACTION

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