

PLANNING AND ZONING COMMISSION ACTION MINUTES

March 7, 2019

I WORK SESSION

7:00 PM Auditorium

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

1. **15 Hyatt Lane:** Referral from HDC to P&Z for comments on designation of a Local Historic Property. – **Discussed** (*Cathy Walsh recused from the discussion*)
2. **39 Cross Highway:** Referral from HDC to P&Z for comments on designation of a Local Historic Property. – **Discussed**
3. **Item added to the Agenda:** 32-25A: Cap on number of Dispensaries (Medial Marijuana).

Cathy Walsh requested the Commission consider a future amendment to reduce the allowable number of dispensaries from two to one.

Seated: Paul Lebowitz, Catherine Walsh, Chip Stephens, Greg Rutstein, Jon Olefson, Neil Cohn

Action: Inadequate support gained to pursue the suggested amendment.

Vote: 1 – 5 {Walsh} in favor {Lebowitz, Stephens, Rutstein, Olefson, Cohn} opposed

II PUBLIC HEARING

At this time interested persons may be heard after being recognized by the chairman.

Written communications may be received for all applications until the public hearing is closed. Applications and plans may be seen and examined in the Planning and Zoning Office, Room 203, Town Hall, 110 Myrtle Avenue, Monday through Friday, 8:30 am to 4:30 pm.

1. **319 Bayberry Lane:** (*This item was withdrawn on 2-27-19*). Appl. #18-078 by Kousidis Engineering, LLC for property owned by Pawel and Kristyna Guda for a Special Permit and Site Plan approval for excavation and fill, for property located in a Residence AAA zone, PID #E18005000.
2. **1 Angora Road:** (*This item was withdrawn and resubmitted on 2-27-19. A new public hearing will be scheduled after a new notice is sent to the neighbors*). Appl. #18-068 by Juan Martin Fidalgo for property owned by Juan Martin Fidalgo for a Special Permit and Site Plan approval for excavation and fill, for property located in a Residence AA zone, PID #G11078000.
3. **43 Compo Mill Cove:** (*The following application is continued from 01/3/19 testimony received, continued from 1/17/19, no testimony received, continued to 2/7/19, no testimony received and further continued to 3/7/19, no testimony to be received and will be further continued to 3/21/19*). Appl. #18-086 by Peter Romano/LANDTECH for property owned by Douglas Eisenberg and Andrea Friedman for a CAM Site Plan approval to elevate existing house, construct a second story addition and a new two story addition, for property located in a Residence A zone, PID #E04072000.

Action: No testimony taken, continued to 3-21-19.

4. **11 Deerwood Road:** Appl. # 19-001 by John Garment owned by John Garment for a Special Permit and Site Plan approval for excavation and fill for a retaining wall and new septic system, for property located in a Residence AA zone, PID #E11031000.

Seated: Paul Lebowitz, Catherine Walsh, Chip Stephens, Greg Rutstein, Jon Olefson, Neil Cohn
Action: Granted, Vote: 6 – 0, See attached resolution

5. **Text Amendment #760:** *(The following application is continued from 2/28/19, testimony was taken).* Appl. #18-079 submitted by Summit Saugatuck LLC affiliated with Summit Development as represented by Attorney Timothy Hollister of Shipman & Goodwin, LLC for a new zoning district §19C, Saugatuck Village District, or SV District, with associated zoning standards, allowing multi-family dwelling units (rentals), no greater than 2-bedrooms in size, with 30% of the units deed restricted as affordable housing as defined in §8-30g of the Connecticut General Statutes, at a density of 22-units per acre, in buildings up to 62-feet and 5-stories in height (except when located above underground parking), with 100' of frontage on Hiawatha Lane or Hiawatha Lane Extension, where connection to public water and public sewer is available, on properties at least 6 acres, but less than 11 acres in size, inclusive of private rights-of-way, subject to Site Plan approval by the Planning and Zoning Commission. This Text Amendment application is proposed in combination with a Map Amendment application to rezone property to the SV District and it is proposed in combination with a Coastal Site Plan application to develop property utilizing the proposed SV District standards; all three applications are considered part of a single Affordable Housing Development proposal submitted pursuant to §8-30g of the Connecticut General Statutes. A copy of the proposed text amendment is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office.

Seated: Paul Lebowitz, Catherine Walsh, Chip Stephens, Greg Rutstein, Jon Olefson
Action: Testimony taken, hearing continued to 3/21/19

6. **Map Amendment #761** *(The following application is continued from 2/28/19, testimony was taken).* Appl. # 18-080 submitted by Summit Saugatuck LLC affiliated with Summit Development as represented by Attorney Timothy Hollister of Shipman & Goodwin, LLC for property owned by Saugatuck Summit LLC, Anne M. Mantia, Estate of Crystal Christensen, Hannelore Walsh, Frank P Bottone and David H Ogilvy, to rezone property from §14, Residence B to §19C, Saugatuck Village District, or SV District, a proposed zoning district. This Map Amendment application is proposed in combination with a Text Amendment application to create §19C, Saugatuck Village District or SV District, and it is proposed in combination with a Coastal Site Plan application to develop the properties utilizing the SV District standards; all three applications are considered part of a single Affordable Housing Development proposal submitted pursuant to §8-30g of the Connecticut General Statutes. A copy of the proposed map amendment is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office. The property affected by this proposed Map Amendment is described as follows: 8.8 acres, comprised of 28, 36, 38, 39, 41, 42, 43, 44, 45, and 47 Hiawatha Lane and Hiawatha Lane Extension; Parcel A05/Lot 4; Parcel A05, Lot 5; the road bed of Hiawatha Lane Extension on the south side of Lots 38-42-44; and a portion of the road bed of Hiawatha Lane abutting the eastern boundary of Lot 38. A metes and bounds description and a map illustration of these parcels are contained in Summit Saugatuck's November 16, 2018 application, Tabs 12 and 16, on file with the Westport Planning and Zoning Office.

Seated: Paul Lebowitz, Catherine Walsh, Chip Stephens, Greg Rutstein, Jon Olefson

Action: Testimony taken, hearing continued to 3/21/19

7. **28, 36, 38, 39, 41-45, 47, Parcel A0/Lot 4, and Parcel A05/Lot 5 Hiawatha Lane and Hiawatha Lane Extension, the road bed of Hiawatha Lane Extension on the south side of 38-42-44, and a portion of the road bed of Hiawatha Lane abutting the eastern boundary of 38 Hiawatha Lane, including the private road bed of Hiawatha Lane, from its intersection with Davenport Avenue where utility installation is proposed: (*The following application is continued from 02/28/19, testimony was taken*).** Coastal Site Plan Appl. #18-081 submitted by Summit Saugatuck LLC affiliated with Summit Development as represented by Attorney Timothy Hollister of Shipman & Goodwin, LLC for property owned by Saugatuck Summit LLC, Anne M. Mantia, Estate of Crystal Christensen, Hannelore Walsh, Frank P Bottone and David H Ogilvy, for approval of a 187-unit multi-family rental development in five new buildings with associated site improvements and a mainline connection to the public sewer. This Coastal Site Plan application is proposed in combination with a Text Amendment application to create §19C, Saugatuck Village District or SV District, and it is proposed in combination with a Map Amendment application to rezone the properties to the SV District; all three applications are considered parts of a single Affordable Housing Development proposal submitted pursuant to §8-30g of the Connecticut General Statutes.

Seated: Paul Lebowitz, Catherine Walsh, Chip Stephens, Greg Rutstein, Jon Olefson

Action: Testimony taken, hearing continued to 3/21/19

III WORK SESSION

New Business:

1. **Request for Direction: (*Information was previously circulated for 2-7-19 Meeting*).** Endorsement to formalize draft language into an amendment for review at a future public hearing to address Air BnB, short-term rentals, seasonal rentals, etc. - **No action taken**
2. **Request for Direction: (*Information was previously circulated for 2-7-19 Meeting*).** Endorsement to formalize draft language into an amendment for review at a future public hearing to clarify Subdivision standard for intersections. - **No action taken**
3. **8, 10 & 14 Allen Raymond Lane:** Appl. #18-053A by Westport/Weston Family YMCA for property owned by YMCA of Connecticut, for Special Permit and Site Plan approval for additions and renovations to the existing main building and Camp Mahackeno, for property located in a Residence AAA zone, PID# B13024000, #C13014000, #C13002000. - **No action taken**

Old Business: