



**Town of Westport**  
**Planning and Zoning Commission**  
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Friday

## LEGAL NOTICE OF DECISION

Notice is hereby given that in accordance with the CT Superior Court Judgment granted on July 19, 2021 (Docket No. HHD-CV19-6120090-S) associated with resolving litigation between Summit Saugatuck LLC v. Westport Planning and Zoning Commission for a 157-Unit Affordable Housing Development and other terms, the following items were adopted:

1. **ADOPTED: Text Amendment #760: Appl. #18-079** submitted by Summit Saugatuck LLC affiliated with Summit Development as represented by Attorney Timothy Hollister of Hinkley Allen, for a new zoning district §19C, Saugatuck Village District, or SV District. **Effective Date: 7/24/21.**

A copy of the adopted text amendment is on file in the Westport Town Clerk's Office, is on file in the Westport Planning and Zoning Office and attached to this notice.

2. **ADOPTED: Map Amendment #761** Appl. # 18-080 submitted by Summit Saugatuck LLC affiliated with Summit Development as represented by Attorney Timothy Hollister of Hinkley Allen 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. **Effective Date: 7/24/21.**

A copy of the adopted Map Amendment is on file in the Westport Town Clerk's Office, is on file in the Westport Planning and Zoning Office and is attached to this notice.

Dated at Westport, Connecticut this 23rd day of July 2021 Danielle Dobin, Chairman, Planning and Zoning Commission.

**NEW ARTICLE 19C:  
SAUGATUCK VILLAGE DISTRICT  
("SV DISTRICT")**

*— Revised July 2021 —*

## § 19C SAUGATUCK VILLAGE DISTRICT [NEW]

### 19C-1 Purpose

The purpose of the Saugatuck Village District ("SV District") is to allow the development of multi-family rental apartment units that will meet the needs of both households that can afford market-rate rents and those that can afford rents that are restricted in accordance with § 8-30g of the General Statutes. The regulation is intended to promote housing choice and economic diversity within the Town of Westport.

### 19C-2 Parcels Eligible for Rezoning to SV District

Parcels of land comprised of at least seven (7) but less than ten (10) acres, such area being inclusive of private rights-of-way; abutting the Norden Place Open Space in the City of Norwalk; and with a total of at least one hundred (100) feet of frontage on Hiawatha Lane or Hiawatha Lane Extension, may be zoned as SV District.

### 19C-3 Uses Permitted By Site Plan Approval

In an SV District, no land, building, or structure shall be used, and no building shall be hereafter erected, altered, or added to, except as provided in these regulations, and only for one or more of the following uses:

#### 19C-3.1 Principal Use

Multi-family dwellings in buildings that provide studio units, one (1) bedroom units, two (2) bedroom units, and three (3) bedroom units, and in which at least 30 percent (30%) of the units are subject to long-term maximum household income and rent or sales price restrictions compliant with General Statutes § 8-30g, and administered through an Affordability Plan that is compliant with § 8-30g.

#### 19C-3.2 Accessory Buildings, Structures, and Uses

19C-3.2.1 Below grade parking.

19C-3.2.2 Outdoor recreational uses, including patios, a central green, play areas, adult gym areas, and picnic areas.

19C-3.2.3 Manager's Office and amenity spaces including community room, exercise room, and other shared spaces within a principal building.

19C-3.2.4 Other buildings, structures, and uses not listed above, customarily accessory to multi-family residential use, including lobbies, stairs, corridors, and storage areas.

19C-3.2.5 Equipment, such as a generator and control panel, adjunct to operation and maintenance of a sewer force main.

#### *19C-4 Maximum Density and Bedrooms*

##### *19C-4.1 Maximum Number of Units*

The total number of dwelling units in an SV District development shall not exceed twenty-two (22.0) per gross acre or 157, whichever is less.

##### *19C-4.2 Bedrooms*

19C-4.2.1 No dwelling unit in an SV District development shall contain more than three (3) bedrooms.

19C-4.2.2. The maximum percentage two (2) bedroom units in an SV District shall be forty-five percent (45%), and the maximum percentage of three bedroom units shall be 15 percent (15%).

#### *19C-5 Building Height and Stories*

The maximum building height of a principal building in an SV District, measured in compliance with the "Building Height" definition in § 5 of the Westport Zoning Regulations, shall be fifty-two (52) feet, excluding ornamental chimneys and rooftop mechanicals, not to exceed eight (8) additional feet, including dunnage. No building shall exceed four (4) stories, as defined in "Story" § 5, of these Regulations. If parking is located below a building, it shall be deemed a cellar as defined in these Regulations.

#### *19C-6 Coverage*

##### *19C-6.1 Maximum Total Coverage*

Total impervious coverage for development within an SV District shall not exceed fifty-five percent (55%).

##### *19C-6.2 Maximum Building Coverage*

Building coverage within an SV District shall not exceed thirty-two percent (32%).

#### *19C-7 Building Setbacks*

##### *19C-7.1 Setback From Existing Roadways*

All buildings in an SV District shall be set back a minimum of fifteen (15) feet from any perimeter street line existing at the date of rezoning to SV District.

## 19C-7.2 Setback From Property Lines

No principal building, structure, accessory structure, or use shall extend closer than twenty (20) feet from any street line, ten (10) feet from any side lot line, or fifteen (15) feet from any rear lot line. Entry stairs, balconies, patios, platforms, and open porches necessary for ingress and egress shall be permitted within such setbacks, provided that in no case may such structures be less than five (5) feet from any property line. Retaining walls no taller than six (6) feet shall also be permitted within such setbacks.

## 19C-7.3 Setback From Single-Family Home

No building or edge of parking area in an SV District shall extend closer than ten (10) feet from a lot that, at the time of rezoning to SV District, contains a single-family home.

## 19C-8 Usable Open Space

In an SV District, at least one hundred twenty-five (125) square feet per unit of land suitable for passive recreation shall be provided. Such land shall be laid out, graded, screened, and landscaped for its intended recreational purpose.

## 19C-9 Parking, Circulation, and Loading

### 19C-9.1 Parking

Notwithstanding the requirements of § 34 of these Regulations:

19C-9.1.1 The minimum number of parking spaces per dwelling unit in an SV District shall be:

Per studio or one (1) bedroom dwelling unit: one and half (1.5) parking spaces.

Per two (2) bedroom or three (3) bedroom dwelling unit: two (2.0) parking spaces.

19C-9.1.2 Parking within an SV District may be on grade, or below grade within a building.

19C-9.1.3 Section 31-15.1 of these Regulations shall not be applicable to an SV District.

### 19C-9.2 Private Roads

When any private road is proposed, or proposed to be maintained, in an SV District, it shall be designed and constructed in accordance with the standards of the Town of Westport for municipal roads. The term "private road" shall not include parking lot aisles or connectors, or emergency only access.

## *19C-10 Signage*

Signage shall comply with the General Requirements of § 33.2 of these Regulations and shall meet the following standards, consistent with § 33.6:

19C-10.1 The following signs are permitted in an SV District:

- 19C-10.1.1 Identification signs, provided the aggregate area of the signs shall not exceed twenty-four (24) square feet. Only one free-standing sign is permitted. The free-standing sign must be at least ten (10) feet from any property line and shall include the street address number at least four (4) inches in size.
- 19C-10.1.2 A marker not to exceed two (2) square feet identifying an historic building or use.
- 19C-10.1.3 Directional sign necessary for public safety or convenience not to exceed two (2) square feet in area.
- 19C-10.1.4 Public convenience signs advertising hours of operation not to exceed one (1) sign of two (2) square feet in area.

## *19C-11 Exterior Lighting*

Exterior lighting shall be provided and maintained by the property owner at all access points to streets, parking areas, building entrances, and elsewhere for the safety of vehicular and pedestrian traffic. All exterior lighting shall be low-level except for required street lights and lighting for pedestrian safety. The glare from light sources shall be shielded from roads and abutting properties.

## *19C-12 Landscape, Screening, Sidewalks, and Buffer Areas*

19C-12.1 Landscaping, screening, and buffering

Landscaping, screening, and buffering shall comply with § 35 of the Regulations, except that the minimum required front landscape area described in § 35-2.2.1 shall be fifteen (15) feet, exclusive of loading spaces, porches, patios, balconies, and similar features.

19C-12.2 Sidewalks

Sidewalks shall be provided throughout a SV District development. All sidewalks within a public right-of-way shall conform to Town or State Standards. All other sidewalks shall have driveway ramps and shall have a minimum width of three (3) feet.

## *19C-13 Utilities*

### *19C-13.1 Water and Sewer*

Public water and sewer must be available for the development either directly or by extension and connection to existing sewer and water lines, and all units must be connected to the sewer and water lines.

### *19C-13.2 Zoning Certificate*

No Zoning Certificate of Compliance shall be issued for any dwelling unit unless and until such unit has been connected to a public water supply, suitable power supply, and a public sanitary sewer line.

### *19C-13.3 Storm Drainage*

Storm-drainage facilities shall be provided and shall be designed to achieve a zero impact run-off based on a twenty-five (25) year storm flow. Street culverts and bridges shall be designed for a hundred (100) year storm flow, if required by the Town Engineer.

## *19C-14 Fire Department Access*

Access for Fire Department motorized vehicles shall be provided to ensure the safety of all occupants. Such access shall include Fire Lanes and/or other locations kept clear and readily accessible for fire apparatus at all times. Turning radii, road widths, and grade changes shall comply with applicable Fire Codes.

## *19C-15 Earth Materials Excavation*

Earth materials excavation, stockpiling of earth products, or filling of land with earth products, shall comply with § 32-8 of these Regulations, provided that a separate Special Permit shall not be required; and as long as the excavation, stockpiling, processing, or filling otherwise complies with the Standards of § 32-8.3, site plan approval shall constitute approval of the excavation, stockpiling, processing, or filling necessary to carry out the approved site plan, even if the depth, slope, man-made earth slopes, grading within five (5) feet of a lot line or quantity exceed the limits stated in §§ 32-8.2.1 through 32-8.2.3; § 32-8.2.6; or § 32-8.3.2.

## *19C-16 Amenities*

### *19C-16.1 Refuse Area*

Refuse collection areas shall be provided and conveniently located for all units.

### *19C-16.2 Mail Boxes*

Mail boxes shall be provided and conveniently located for all units, as determined by the U.S. Postal Service.

*19C-17 Affordability Plan Compliant With General Statutes § 8-30g*

The purpose of the SV District is to facilitate a residential community comprised of rental units with household income and monthly rent limits in compliance with General Statutes § 8-30g and will be administered as stated in an Affordability Plan prepared in compliance with General Statutes § 8-30g.

*19C-18 Site Plan Documents Required to be Submitted*

Information and documents required by § 44-1 of these Regulations are required to be submitted with an application filed pursuant to this § 19C, except as otherwise provided in this § 19C.

*19C-19 Application Requirements*

19C-19.1 Rezoning

Petition to rezone, as provided by these Zoning Regulations.

19C-19.2 Site Plan

Application for site plan, with those documents provided by § 19C-17 being required as part of the application. An application for site plan approval submitted pursuant to this § 19C is not subject to the inclusionary zoning requirements of § 32-12.

*19C-20 Requirements for SV District Units*

The following requirements shall apply to the dwelling units in an SV District development that are identified initially in the Affordability Plan, or administered subsequently as, § 8-30g compliant units:

19C-20.1 Comparable Quality

SV District Units shall be of a construction quality that is comparable to market-rate units within the development, and minimum construction, materials, finishes, and amenities for § 8-30g compliant units shall be stated as a Schedule in the Affordability Plan.

19C-20.2 Dispersal

SV District Units subject to § 8-30g restriction shall be dispersed throughout the development and built and offered for rent on a *pro rata* basis as construction and leasing proceed.



### 19C-20.3 Affordability Plan

The "Affordability Plan" required by § 8-30g of the General Statutes shall describe how the regulations regarding affordability will be administered. The Plan shall include provisions for administration of and compliance with this section; notice procedures to the general public of the availability of affordable units; identification of the method for designating affordable units; procedures for verification and periodic confirmation of unit occupancy income; and compliance with affordability requirements.

### 19C-20.4 Enforcement

A violation of the regulations contained in this section shall not result in a forfeiture or reversion of title, but the Planning and Zoning Commission of the Town of Westport or its designated agent shall otherwise retain all enforcement powers granted by the General Statutes, including § 8-12.

