



**Town of Westport**  
**Planning and Zoning Commission**  
Town Hall, 110 Myrtle Avenue  
Westport, CT 06880  
Tel: 203-341-1030 Fax: 203-454-6145  
[www.westportct.gov](http://www.westportct.gov)

To be published in the Westport News on Friday October 22, 2021, and Friday October 29, 2021

## LEGAL NOTICE OF HEARING

Notice is hereby given that the Westport Planning and Zoning Commission will hold a remote Public Hearing on **Thursday, November 4, 2021**, at 6:00 P.M.

### **SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:**

*Pursuant to Sections 147-153 of the Governor's Public Act 21-2, there will be no physical location for this meeting. This meeting will be held electronically and live streamed on [www.westportct.gov](http://www.westportct.gov). Meeting materials are available at [www.westportct.gov](http://www.westportct.gov), on the Planning and Zoning Department web page under "P&Z Pending Applications & Recent Approvals". Instructions to attend the ZOOM meeting will be posted on the agenda for this meeting on the Meeting List and Calendar page at [www.westportct.gov](http://www.westportct.gov). The meeting agenda will also include items that do not require a legal notice that can be viewed on [www.westportct.gov](http://www.westportct.gov).*

1. **106 Greens Farms Rd:** CAM Special Permit/Site Plan #PZ-21-00671 Appl. #PZ-21-00671 submitted by Robert Pryor, LANDTECH for property owned by Scott Mikuszewski to build "at grade" patio and general filling of lawn area and to find consistency with the Coastal Area Management Act, for property located in Residence AA zone, PID#E06072000.
2. **10 Yankee Hill:** Special Permit/Site Plan Appl.#PZ-21-00671 submitted by Robert Pryor, LANDTECH for property owned by Yankee Hill LLC for Excavation and Fill activities associated with a proposed patio, pergola, retaining wall, spa, covered porch with second story deck, for property located in Residence AA zone, PID#D04012000.
3. **Text Amendment #802:** Appl. #PZ-21-00715 submitted by the Planning and Zoning Commission to add §35-2.8, Access to Fire Department Apparatus, to the Zoning Regulations requiring all landscaping shall comply with the access and obstruction requirements listed in the Connecticut State Fire Prevention Code; and to modify §35-4, Landscaping of Developed Sites, to require any Site Plan and/or Special Permit application involving the expansion or structural Alteration of an existing building and/or a Change of Use, to comply with the landscaping requirements in §35, to the greatest extent possible without the creation of any new non-conforming conditions. A copy of the proposed text amendment is available on-line at [www.westportct.gov](http://www.westportct.gov) is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office

4. **Text Amendment #803:** Appl. #PZ-210-00766 submitted by the Planning and Zoning Commission to modify application submission requirements listed in sections of the Zoning Regulations affecting Text and Map Amendment applications (§42), and Special Permit and Site Plan applications (§44), and related cross references found in §34, and modify the Subdivision Regulations affecting Subdivision and Resubdivision applications (§52), the Zoning and Subdivision regulations. A copy of the proposed text amendment is available on-line at [www.westportct.gov](http://www.westportct.gov) is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office.

**Dated at Westport, Connecticut on this 22<sup>nd</sup> day of October 2021 and 29<sup>th</sup> day of October 2021, Danielle Dobin, Chairman, P&Z Commission.**

Received: 9/9/21

Revised: 9/28/21, and 10/12/21

Public Hearing Scheduled for: 11/4/21

Adopted: \_\_\_\_\_

Effective date: \_\_\_\_\_

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Deleted language is [~~struck out and in brackets~~]; New language is underlined.

*From §35, Landscaping, Screening, and Buffer Areas*

**(NEW) §35-2.8, Access to Fire Department Appurtenances**

All plantings at their maturity shall comply with the access and obstruction requirements of the Connecticut State Fire Prevention Code, including 36" clear access around fire hydrants and in front of Fire Department Connections and control valves.

**§35-4, Landscaping of Developed Sites**

For any Site Plan application involving the expansion or structural alteration of an existing building and/or a new use or Change of Use for a developed site, [~~the landscaping shall be brought up to current standards as contained in this Section.~~] the minimum landscape requirements contained in this Section shall be complied with to the greatest extent possible without the creation of any new non-conforming conditions.

**Text Amendment #803, submitted by the Planning and Zoning Commission**

Submitted: 10/1/21

Received: 10/14/21

Public Hearing (*Scheduled for*): 11/4/21

Adopted: \_\_\_\_\_

Effective date: \_\_\_\_\_

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Deleted language is [~~struck out and in brackets~~]; New language is underlined.

All proposed changes are also **highlighted**

***FROM §34, OFF-STREET PARKING AND LOADING***

**34-4 Reduction of Parking Requirements by Special Permit**

When a proposed change of use or extension or expansion of a building or structure causes an increase in the number of parking spaces required, the Planning and Zoning Commission may, by Special Permit waive the minimum forty-five (45) foot turning radius for a loading bay and authorize a reduction in the number of parking spaces that would otherwise be required by these regulations; provided that:

- a. The site is non-conforming with respect to parking and/or landscaping, and
- b. Such a reduction shall not be more than the greater of:
  - i. Three parking spaces, or
  - ii. Five percent (5%) of the total number of parking spaces shown on the **proposed comparison map (if applicable, otherwise on the existing comparison map).** existing conditions map.

Such waiver and reduction are solely for the purposes of such change of use, extension, or expansion, and is not to be interpreted as making an otherwise non-conforming site conforming.

## **FROM §42, AMENDMENT OF ZONING REGULATIONS**

### **42-1 Authority**

The Planning and Zoning Commission may, on its own motion from time to time, adopt, amend or repeal the provisions and boundaries established by these regulations. However, no change in the regulations, restrictions, or boundaries shall become effective until after notice and public hearing is held by the Commission, at which time parties-in-interest and citizens shall have an opportunity to be heard. All amendments shall be considered in accordance with and subject to the Connecticut General Statutes, as amended.

### **42-2 General**

Any person, firm or corporation desiring an amendment or change in the Zoning Regulations and/or Official Building Zone Map of the Town of Westport, may submit an application proposing such amendment or change to the Planning and Zoning Commission. Before the Commission shall consider any such application the following requirements shall be met and the following information submitted.

### **42-3 Application for Change of Zone**

All proceedings to change the zoning boundaries or the zoning text of these regulations, including any change in punctuation or wording, shall be instituted by application in writing to, and in a form prescribed by, the Commission. Applications shall be signed by the applicant and shall be considered in accordance with the procedures adopted by the Commission, as amended, from time to time.

#### **42-3.1 Zoning Boundary Changes**

The application shall describe the existing and proposed zone boundaries of the property and shall give a metes and bounds description of the property or identification by Assessor's Map and Lot Number of the lots, or parts thereof to be included in the amendment or change.

#### 42-3.1.1 Existing Land Use Map

[Twelve copies] One (1) copy of a map shall be submitted with the application showing all existing lots, dimensions, property lines, streets, rights-of-way, the existing land uses in the standard color key of the Commission, the existing and proposed zoning district boundary lines in appropriate markings, the north point, graphic scale, date, the name of the applicant and the Zoning Amendment number. This map shall also show the above required information for the area included in and within two hundred fifty (250) feet of area affected by the application. The Existing Land Use and Existing Conditions may be combined on one map. The Standard Color Key of the Commission is as follows:

- Yellow - residential
- Red - commercial
- Blue - light and dark - water and institutional
- Green - open space
- Brown - multi-family residential
- Purple – industrial

#### 42-3.1.2 Existing Conditions Map

[Twelve copies] One (1) copy of a map shall be submitted with the application showing all existing streets, existing buildings and structures, existing waterbodies and watercourses, the existing contours at a contour interval not to exceed two (2) feet, and any existing wetlands boundary lines, flood boundary lines and/or mean high water lines, the north point, graphic scale, date, the name of the applicant and the Zoning Amendment number. This map shall also show the above required information for the area included in and within two hundred fifty (250) feet of the area affected by the application. The Existing Land Use and Existing Conditions may be combined on one map.

#### 42-3.1.3 Proposed Zoning Map

In addition to the above maps [twelve copies] One (1) copy of a separate zoning map shall be submitted with the application showing all existing lots, dimensions, property lines, streets, rights-of-way, the existing and proposed zoning district boundary lines in appropriate markings, the north point, graphic scale, date, the name of the applicant and the Zoning Amendment number. This map or accompanying list shall also show both the names and addresses of property owners [and any Zoning Board of Appeals Variance case numbers for all lots included in and] within two hundred fifty (250) feet of the area affected by the application, as indicated in the current records of the Westport Assessor's Office [and the Zoning Board of Appeal's offices, respectively].

#### **42-3.1.4 Map Sources**

The above listed maps shall be drawn to a scale of one hundred (100) feet or two hundred (200) feet to the inch and may be based on the Town's Geographic Information System (GIS), [the property line maps of the Assessor's office, topography maps of the Engineering Department and the zoning maps of the Engineering Department and the zoning maps of the Commission,] and may show any other information considered pertinent by the applicant.

#### **42-3.1.5 Conceptual Site Plan**

Applications for a Change of Zone to General Business District/Saugatuck (GBD/S) shall be accompanied by One (1) copy [~~twelve (12) copies~~] of a conceptual site plan, drawn to scale, showing building locations (footprint), driveways, parking areas and other improvements related to site development (See §24A). An electronic version of the plan in PDF format shall also be submitted.

#### **42-3.2 Notice Mailing**

A list of names and addresses of all property owners located in and within 500 feet of the proposed zone change line shall be submitted along with Certificates of mailing for each such property owner as shown on the tax assessment records as of the date of application submission. Each property owner shall receive a notice indicating that an application has been submitted to the Planning & Zoning Commission.

#### **42-3.3 Zoning Text Changes**

The application shall precisely set forth the existing provisions, the specific provisions to be changed and the provisions to be substituted, deleted or added to the regulations. Deletions shall be bracketed and stricken out, "[---]" and additions shall be underlined. One (1) copy [~~Twelve (12) copies~~] of the proposed text shall be submitted.

#### **42-3.4 Fees**

All applications shall be accompanied by a fee, pursuant to an adopted Fee Schedule, to cover the cost of processing the application. Said fee shall be made payable to the Town of Westport at the time of filing the application.

#### **42-3.5 Explanatory Statement**

All applications shall be accompanied by one (1) copy [~~ten (10) copies~~] of a statement explaining the need for the proposed amendment and identifying any benefits to the Town.

#### **42-4 Completeness, Date of Submission and Date of Receipt**

An application shall be deemed to be complete if it is in proper form and is accompanied by all the application material required by §42-3, Application. The planning staff shall note on the application the date of submission to the Commission. ~~[If the planning staff fails to so note within thirty (30) days of the date of filing said application in the Planning and Zoning Office, the application shall be deemed to be submitted on the 31st day after the date of filing.]~~

The date of receipt of a formal application shall be the date of the next regularly scheduled meeting of the Commission, immediately following the date of submission to the Commission, of a complete application or thirty-five (35) days after such submission, whichever is sooner.

#### **42-5 Regional and Municipal Referral**

Any proposed change of zone or regulation affecting the use of a zone within five hundred (500) feet of the Town Line shall be referred to the Regional Planning Agency and adjoining municipality in accordance with the Connecticut General Statutes.

#### **42-6 Public Hearings**

Within sixty-five (65) days after the date of receipt of a complete application, the Commission shall hold a public hearing on said application. Notice of a public hearing shall be published in accordance with the Connecticut General Statutes.

##### **42-6.1 Additional Information**

The Commission may require the submission of additional information deemed necessary to determine compliance with the intent and purpose of these regulations.

#### **42-7 Commission Action**

Within sixty-five (65) days after completion of the public hearing, the Commission shall adopt or deny the change of zone or amendment to the regulations. Whenever the Commission adopts any change of zone or amendment to the regulations, it shall state upon its records the reason why such change was made.

#### **42-8 Extension of Time**

The applicant may consent in writing to an extension of the time periods in accordance with the Connecticut General Statutes.

#### **42-9 Effective Date**

Zoning regulations, zoning district boundaries and any amendments or changes thereto, shall become effective at such time as may be fixed by the Commission, pursuant to the Connecticut General Statutes, provided that both a copy of such regulation, boundary or change shall be filed with the Town Clerk and notice of the decision of the Commission shall have been published in a newspaper having a substantial circulation in the Town before such effective date.



## ***FROM §44, SPECIAL PERMIT AND/OR SITE PLAN DOCUMENTS, STANDARDS AND OBJECTIVES***

### **44-1 Documents**

For all uses requiring a Special Permit or Site Plan, a complete application shall be submitted on Westport Planning and Zoning forms together with a fee, payable to the Town of Westport and the following information. If the Planning and Zoning Director finds any of the following requirements not applicable for small-scale projects, such items may be waived pursuant to §44-4.

#### **44-1.1 General Information**

##### **44-1.1.1**

The following information shall appear on all maps and plans:

- a. Name of the applicant and the name of the owner of record as listed in the Assessor's Office.
- b. Date, north arrow, numerical and graphic scale and revision dates.
- c. The street and address of the property.

##### **44-1.1.2**

On the Site Plan map a table or chart shall appear indicating the proposed number or amount and types of uses, lot area, setbacks, coverage, building area, building height, floor area ratio, parking computations and landscaping computations as they relate to the requirements of the zoning regulations.

##### **44-1.1.3**

In addition to the required maps, a written description of the proposed use or uses.

##### **44-1.1.4**

In the case of a non-conformity in a non-residence district, the statement required by §6-5, with supporting evidence.

#### **44-1.2 Location Map**

One (1) copy of the ~~[Assessor's Map(s) at a scale not to exceed one (1) inch equals two hundred (200) feet]~~ Town's Geographic Information Systems (GIS) Map. The map shall show the subject property and all adjoining property including those properties directly across a street ~~[, waterbody, or watercourse and within one hundred (100) feet of the subject property].~~ The following additional information shall be submitted and the following action taken to assure notice to all interested parties: (754, 02/03/2019)

**44-1.2.1**

A list of names and addresses of all property owners within 250 feet of the subject property.

**44-1.2.2**

Certificates of Mailing for each such property owner as shown on the tax assessment records as of the date of application submission. Each property owner, and the Planning and Zoning Office, shall receive a notice indicating that an application has been submitted to the Planning & Zoning Commission (754, 02/03/2019)

**44-1.3 Existing Conditions Map**

~~[Three (3) copies]~~ One (1) copy of an accurate scaled survey map of the property prepared by a registered land surveyor or engineer licensed to practice in the State of Connecticut at a scale not to exceed one (1) inch equals forty (40) feet on sheets not to exceed 24" x 36." ~~[Said survey map shall be drawn to an A-2 accuracy as defined by the Connecticut Technical Council, shall be certified "substantially correct" by a registered Land Surveyor and-]~~ Said survey map shall certify that the horizontal accuracy of the information on the map meets the standards for "Class A-2" accuracy, and any vertical accuracy meets the standards for "Class T-2" or Class V-2" accuracy, as required, as defined in Sec. 20-300b-11 of the Regulations of Connecticut State Agencies, and shall include all existing property lines, easements, rights-of-way, contours at intervals of two feet referred to USGS MSL datum, wooded areas, watercourses, wetlands, aquifers, rock outcrops, stone walls, location of existing trees with a trunk caliper of more than eight (8) inches, except in wooded areas, buildings, structures, signs, fences, walls, paved areas, curbs, curb cuts, edges-of-pavement, sidewalks, light poles, utility poles, catch basins, manholes, hydrants and other similar physical features. An electronic version of the plan in PDF format shall also be submitted.

**44-1.3.1**

The survey shall also show the following off-site information:

- a. Buildings, parking areas and curb-cuts on all adjoining property located within fifty (50) feet of the site.
- b. All cross streets located within fifty (50) feet of the site.
- c. All curb-cuts or driveways across the street from or opposite the site.
- d. All traffic lights and controls, public trees, catch basins, manholes, hydrants, utility poles and utility lines located in adjacent streets.

**44-1.4 Site Plan Map**

~~[Six (6) copies]~~ One (1) copy of an accurate scale plan, prepared and sealed by a registered ~~[architect, landscape architect,]~~ engineer or land surveyor licensed to practice in the State of Connecticut at a scale not to exceed one (1) inch equals forty (40) feet on sheets not to exceed 24" x 36." ~~[and ten (10) additional copies of said site plan, reduced to scale to 11" x 17" for distribution to the Planning and Zoning Commission and Staff].~~ Said site plan shall be prepared from a plot plan

certified "substantially correct" by a registered [L]land [S]urveyor or engineer as described in 44-1.3, [based on a Class A-2 Survey, said plot plan shall be identified]. An electronic version of the plan in PDF format shall also be submitted. The site plan shall illustrate the proposed development of the property and shall include the following information:

#### **44-1.4.1 The Property**

- a. The boundaries of the property and Zoning District Boundary Line located on the subject property.
- b. Location, width and purpose of all existing and proposed easements and rights-of-way on the property.
- c. Existing and proposed contours at intervals of two feet; referred to USGS MSL datum; [except for a change of use application].
- d. Location of all existing wooded areas, watercourses, wetlands, aquifers, rock outcrops, stone walls and other significant physical features and, where applicable, the mean high water line, the wetlands boundary, the waterway protection line, the twenty-five (25) year flood line, the one hundred (100) year flood line, the floodway boundary and the CAM boundary; [except for A Change of Use application].
- e. Location of existing trees not located in wooded areas, with a trunk caliper of more than eight (8) inches as measured four (4) feet above the ground and mature evergreens of ornamental quality.

#### **44-1.4.2 Buildings, Structures and Uses**

- a. Location, design and height of all existing and proposed buildings, structures, signs, fences and walls, including retaining walls.
- b. Location of all existing and proposed uses and facilities not requiring a building.

#### **44-1.4.3 Parking, Loading, and Circulation**

- a. Location, arrangement and dimensions of standard automobile parking stalls, aisles, vehicular drives, fire lanes, entrances, exits and ramps.
- b. Location, arrangement and dimensions of loading and unloading areas.
- c. Location and dimensions of pedestrian entrances, exits, sidewalks and walkways.

#### **44-1.4.4 Front, Parking and Buffer Landscaping**

A preliminary landscape plan showing the general location and layout of plantings within all landscaped areas; as well as any fencing, walls, and other screening proposed. Plant selections shall be made per the Approved Tree List provided at the end of §35, Landscaping, Screening and Buffer Areas.

#### 44-1.4.5 Signs and Lighting

Locations, size, height, orientation, design and plans of all signs and outdoor lighting including shielding, foot candles and hours of operation.

#### 44-1.4.6 Utilities

Locations and design of all existing and proposed sanitary sewer, storm drainage, water supply facilities and refuse collection areas as well as other underground and above ground utilities and any ground level mechanical equipment. All new utility services shall be located underground and the Commission may require existing overhead lines to be placed underground. (a) Sanitary sewer, storm drainage, retaining walls and other similar engineering improvement(s) plans shall be designed and sealed by a registered professional engineer unless the Town Engineer otherwise approves an incidental improvement. Such engineering improvements shall be accompanied by appropriate data in accordance with good engineering practice such as quantity and velocity calculations, profiles, cross-sections, pipe sizes, flow lines, pipe slopes and lengths, invert and top of grate elevations, existing and proposed grades and construction materials.

#### 44-1.5 Staging or Phasing Plan

In cases where the applicant wishes to develop the site in stages, an overall site and staging plan indicating both phases and development schedule for obtaining Zoning Permits and for completing work on a phase-by-phase basis shall be submitted.

#### 44-1.6 Building Plans

[Six (6) copies] One (1) copy of [preliminary] architectural drawings of all proposed buildings and structures, to be drawn at a minimum scale of one-eighth inches equals one-foot ( $1/8'' = 1'$ ) [at a scale not to exceed one (1) inch equals eight (8) feet, and ten (10) additional copies of said drawings, reduced to scale to 11" x 17" for distribution to the Planning and Zoning Commission and Staff shall be submitted]. An electronic version of the drawings in PDF format shall also be submitted. The drawings shall show the following information:

##### 44-1.6.1

All exterior wall elevations, indicating finished floor elevations, building heights in relation to mean sea level, base flood elevation data, lowest floor elevation, doors and windows, size and location of roof top mechanical equipment and building material.

##### 44-1.6.2

Building floor plans indicating existing & proposed usage interior floor area and/or patron floor area. All building floor plans shall indicate floor area dimensions.

#### **44-1.7 Comparison Maps**

If an applicant is unable to demonstrate that the site plan is conforming with respect to parking and landscaping, then ten (10) copies of each required comparison map shall be provided.

An "existing comparison map" shall be required based on the existing footprint(s) of building(s) and structure(s) and lot area(s) being used. If the site plan proposes changes to such footprint(s) and/or lot area(s) then a "proposed comparison map" shall also be required based on the proposed footprint(s) and/or lot area(s).

Comparison maps shall be used by the Planning and Zoning Commission for comparison with each other, and with the "parking, loading, and circulation" information on the site plan map, for the purpose of determining the extent of non-conformance with respect to parking and landscaping, and for calculations pursuant to §34-3, Reduction of Parking Requirements by Special Permit.

Comparison maps shall be based on the site plan map, and shall include all information on the site plan map relevant to parking and landscaping.

Parking plans shown on comparison maps shall conform to §34, Off Street Parking and Loading, and §35, Landscaping, Screening and Buffer Areas, as if for an undeveloped site, except that:

- a. such parking plans shall show only the number of parking spaces which can be placed on the site using the parking and landscaping design standards, i.e., such parking plans shall not be required to demonstrate the ability to place the number of spaces required for the proposed use(s), and
- b. Such parking plans shall show the intrusion, if any, of existing buildings and/or structures into setbacks, buffers, and/or landscape areas.]

## ***FROM §52, PROCEDURES***

### **52-1 Purpose**

The Commission, in reviewing any subdivision maps, and the person, firm or corporation proposing a subdivision shall follow the provisions hereinafter specified. Applications shall be considered in accordance with the procedures adopted by the Commission, as amended from time to time.

### **52-2 Submission of Required Materials**

All maps, plans, documents and data required by these regulations shall be presented to the Commission or its designated agent(s) at the Commission Office.

### **52-3 Required Materials**

#### **52-3.1**

Before the Commission shall consider an application for a subdivision, all the required maps, plans and documents set forth in §52-4 shall be submitted by the applicant.

#### **52-3.2**

The applicant shall also obtain and submit any required report or document set forth in §52-5 at least fourteen (14) days prior to the public hearing or Commission Review. If any such report or document has not been submitted, the Planning Staff shall so notify the Commission.

### **52-4 Applications**

#### **52-4.1 Application Forms**

Application for approval of a subdivision shall be made to the Commission in writing on forms prescribed by the Commission. The application shall be signed by the applicant, and if the subdivision is proposed by an applicant other than owner of the land to be subdivided, the application shall be signed by the owner or an authorization letter from the property owner shall be submitted.

#### **52-4.2 Fee**

All applications shall be accompanied by a fee, pursuant to an adopted Fee Schedule, to cover the cost of processing the application. Said fee shall be made payable to the Town of Westport at the time of filing the application.

### **52-4.3 Map of Existing Conditions**

All applications shall be accompanied by one (1) copy of a map of existing conditions, prepared by and bearing the seal of a land surveyor or engineer, licensed to practice in the State of Connecticut. ~~[Six (6) prints of the map not to exceed 24" x 36" and ten (10) additional copies of the map, reduced to scale of 11" x 17" for distribution to the Planning and Zoning Commission and staff, and shall be submitted to the Commission.]~~ Said map shall certify that the horizontal accuracy of the information on the map meets the standards for "Class A-2" accuracy, and any vertical accuracy meets the standards for "Class T-2" or Class V-2" accuracy, as required, as defined in Sec. 20-300b-11 of the Regulations of Connecticut State Agencies. An electronic version of each survey and drawing in PDF format shall also be submitted. The map shall show the following:

#### **52-4.3.1**

Existing buildings and structures and existing street lines, zoning district boundary line, easements and rights-of-way with dimensions.

#### **52-4.3.2**

Adjoining property lines for a distance of one hundred (100) feet from the perimeter of the subdivision and the names of owners, as shown on tax assessment records, but within two hundred fifty (250) feet of the subdivision.

#### **52-4.3.3**

Existing and proposed waterbodies, watercourses, wetland boundaries, mean high water line, coastal jurisdiction line and channel encroachment lines.

#### **52-4.3.4**

Existing street lines.

#### **52-4.3.5**

Existing building locations (footprint), driveways, parking areas, storm drains, sanitary sewers, septic systems, and reserve areas, water wells, catch basins, manholes, bridges, headwalls, utility poles and lines, high pressure gas lines and electric high tension lines, and all other structures pertaining to streets, drainage, sewers, utilities and site development.

#### **52-4.3.6**

Existing contours at an interval not exceeding two (2) feet based on Town datum with source of the contours noted on the map.

**52-4.3.7**

Key elevations of existing adjoining roads.

**52-4.3.8**

Existing parks, recreation areas and open spaces.

**52-4.3.9**

Principal wooded areas, open areas and other specimen trees of more than 12" caliper measured four feet off the ground and mature evergreens of ornamental quality and any ledge outcrops and existing stone walls and fences.

**52-4.3.10**

Location map [drawn at a scale of one (1) inch equals eight hundred (800) or one thousand (1,000) feet] showing location of subdivision and relation to primary roads in town.

**52-4.3.11**

Name of subdivision and applicant and names of those having any beneficial interests.

**52-4.3.12**

Title, date, graphic scale, name of Town and north point

**52-4.3.13**

Name of engineer or land surveyor preparing map.

**52-4.3.14**

The map shall be drawn to a scale of not smaller than one hundred (100) feet to the inch.



## **52-4.4 Subdivision Map**

[A subdivision map, prepared by and bearing the seal of a land surveyor or engineer, licensed to practice in the State of Connecticut, certifying that the accuracy of the information on the map meets standards for a "Class A-2 Transit Survey" of the Connecticut Technical Council, Inc. shall be submitted. The map shall not exceed twenty four by thirty six inches (24"x36"), shall be drawn to a scale not smaller than one hundred (100) feet to the inch and shall be drawn with black waterproof ink on good quality linen or Mylar. Six (6) paper prints of the map and ten (10) additional copies of the map, reduced to scale to 11"x17" for distribution to the Planning and Zoning Commission and staff, shall be submitted to the Commission.] One (1) copy of a subdivision map shall be submitted, prepared by and bearing the seal of a land surveyor or engineer, licensed to practice in the State of Connecticut. The map shall not exceed twenty-four by thirty-six inches (24"x36"). The subdivision map shall certify that the horizontal accuracy of the information on the map meets the standards for "Class A-2" accuracy, and any vertical accuracy meets the standards for "Class T-2" or "Class V-2" accuracy, as required, as defined in Sec. 20-300b-11 of the Regulations of Connecticut State Agencies.

An electronic version of the subdivision map in PDF format shall also be submitted. The map shall show the following:

### **52-4.4.1**

Existing buildings and structures and existing and proposed property and street lines.

### **52-4.4.2**

Adjoining property lines and the names of adjoining owners as shown on tax assessment records, including those within two-hundred fifty (250) feet of the subdivision.

### **52-4.4.3**

Waterbodies, watercourses, rights-of-way, wetlands boundaries, mean high water line, extreme high tide line and channel encroachment lines and the first twenty (20) feet of existing and proposed driveways.

### **52-4.4.4**

Existing and proposed parks, recreation areas and open space.

### **52-4.4.5**

Proposed lots, proposed lot numbers in a circle symbol and new street address numbers in a hexagon symbol.

**52-4.4.6**

All dimensions and all bearings or angles on all property lines, proposed lots, street lines, easements, rights-of-way, parks, recreation areas and open spaces.

**52-4.4.7**

The central angle, tangent distance and radius of all arcs.

**52-4.4.8**

The width of all streets, rights-of-way and easements.

**52-4.4.9**

The square footage and acreage of all lots, parks, recreation areas, playgrounds and open spaces including lot area calculations as defined herein.

**52-4.4.10**

The minimum required setback lines and rectangle shall be drawn in all proposed lots including rectangle area calculations as defined herein.

**52-4.4.11**

Existing and proposed street names and street monument sites.

**52-4.4.12**

The designation "Private" on any proposed Private Street or right-of-way.

**52-4.4.13**

The survey relationship of proposed streets to nearby monumented town or state highways or to nearby subdivisions if any such highways or subdivisions

**52-4.4.14**

Title, date, graphic scale, name of Town and north point.

**52-4.4.15**

The words "Approved by the Director of Health" with a designated place for the signature of the Director and date of signing, or the words "Approved by the Westport Water Pollution Control Authority" with a place for the signature of the head of the Authority and date of signing.

**52-4.4.16**

The words "Approved by the Planning and Zoning Commission" with a designated place for the signature of the Chairman or Secretary and date of endorsement.

**52-4.4.17**

The words "Work Completion Date" with a designated place for the five-year expiration date.

**52-4.4.18**

The error of closure, which shall not exceed one (1) in five thousand (5,000).

**52-4.4.19**

An index map if the proposed subdivision is divided into sections or is of such size that more than one (1) sheet is required.

**52-4.4.20**

A location map [scale one (1) inch equals eight hundred (800) or one thousand (1,000) feet] showing the location of the subdivision and relation to primary roads in town.

**52-4.4.21**

The words "Subdivision Approval" with a designated place for the date of approval.

**52-4.5 Construction Plans**

All applications shall be accompanied by plan and profile drawings of all proposed streets, sight lines, street trees, storm drains, sanitary sewers, location of percolation test holes and all test pits, catch basins, manholes, ditches, waterbodies, watercourses, headwalls, sidewalks, curbs, gutters, bridges, culverts, underground utilities and all other structures pertaining to streets, drainage and sewers. One (1) copy of [P]plans and profile drawings shall be submitted, prepared by and bearing the seal of a land surveyor or engineer, [on good quality linen or Mylar,] that shall not exceed twenty-four (24) x thirty-six (36) inches in size, and shall be drawn to a horizontal scale [of] not to exceed one (1) inch to forty (40) feet [and vertical scale of one (1) inch to four (4) feet]. Profile drawings and elevations shall be based on town datum. In the case of streets, sample road cross sections shall be shown and the profiles shall show the existing grades and proposed elevations at

the center line and both street lines. The depth, invert, slope and size of all pipes, ditches, ponds and streams shall be shown. Detail drawings of any bridges, box culverts, deep manholes, street signs, traffic signs and other special structures shall also be submitted. ~~[Six (6) black line or blue line prints of the construction plans and ten (10) additional copies of the plans, reduced to scale to 11"×17" shall be submitted for distribution to the Planning and Zoning Commission and staff, and shall bear the seal of a land surveyor or engineer licensed to practice in the State of Connecticut].~~ An electronic version of the plans in PDF format shall also be submitted.

#### **52-4.6 Grading Plans**

In the event that any major regrading, cuts, fills, or soil or rock removal is proposed in the area of the subdivision, an application shall be accompanied by one (1) copy of a grading plan prepared by a land surveyor or engineer, licensed to practice in the State of Connecticut, showing existing contours, proposed contours, the estimated amount of material to be added or removed and the proposed layout of streets, lots, park and recreation areas, trees and drainage, at a scale of not less than one hundred (100) feet to the inch. The Commission may require the grading plan to show the proposed location of the septic system, reserve area, buildings, structures, parking areas and driveways. The contour interval shall not exceed two (2) feet and shall be based on Town datum. ~~[Six (6) black line or blue line prints of the grading plan and ten (10) additional copies of the plan, reduced to scale to 11"×17" shall be submitted for distribution to the Planning and Zoning Commission and staff, and shall bear the seal of a land surveyor or engineer licensed to practice in the State of Connecticut].~~ An electronic version of the plan in PDF format shall also be submitted.

#### **52-4.7 Notice Mailing**

##### **52-4.7.1**

A list of names and addresses of all property owners within two hundred fifty (250) feet of the subject property, shall be submitted.

##### **52-4.7.2**

Certificates of Mailing for each such property owner as shown on the tax assessment records as of the date of application submission. Each property owner shall receive a notice indicating that an application has been submitted to the Planning & Zoning Commission.

#### **52-5 Other Reports and Documents**

The applicant shall also obtain and submit to the Commission [such of] the following reports and documents as are applicable.

#### **52-5.1 Water Pollution Control Authority Certificate**

When the subdivision is to be served by sanitary sewers, a statement from the Westport Water Pollution Control Authority and State Department of Environmental Protection, where applicable, shall be submitted, certifying that the plans for sanitary sewers and appurtenances have been approved by the Authority and/or the Department of Environmental Protection.

#### **52-5.2 Health Certificate**

When the subdivision is not served by sanitary sewers and/or by public water supply, a statement from the Director of the Westport-Weston Health District shall be submitted certifying that the land to be subdivided and the subdivision plans are satisfactory for private sewage disposal and water supply systems. The Director's approval shall be endorsed on the subdivision map prior to the Commission's endorsement.

#### **52-5.3 Conn. DOT Permits**

Where a proposed street, driveway or drainage system joins with a state highway, the applicant shall obtain a permit for such connection from the Connecticut Department of Transportation and shall present a copy of such permit to the Commission.

#### **52-5.4 Easements and Deeds**

Easements for sanitary sewers and public rights-of-way, and easements for storm drainage and watercourses draining existing or proposed public or private streets that may be constructed in the future, shall be confirmed by written easements and deeds describing the land involved and privileges of the Town in a form eliminating any Town liability for installation and maintenance and shall be satisfactory to the Town Attorney. Such easements and deeds shall be submitted to the Commission.

#### **52-5.5 Subdivision within the Coastal Area**

Any subdivision proposed to be located within the Coastal Area as defined in Sec. 4 of the CAM Act shall be subject to a Coastal Site Plan Review pursuant to §31-8 Coastal Area Regulations of the Westport Zoning Regulations.

#### **52-5.6 Archeological Report for Certain Subdivisions**

Any subdivision of five (5) lots or more, or of five (5) or more acres will require a site investigation to identify historically, archaeologically and/or paleontological sensitive areas and/or actual sites within the proposed subdivision area, unless the professional determines in writing that such investigation is unnecessary. The Commission may require said investigation for smaller subdivision if deemed necessary. The investigation is to be undertaken by or under the supervision of a professional, such as a professional archaeologist, or other professional with similar credentials. A complete report of the investigation shall be submitted to the Commission. The report is not limited to, but shall include the information required in §44-2.7 of the Zoning

Regulations.

#### **52-5.7 Sediment and Erosion Control Plan**

[A] One (1) copy of a sediment and erosion control plan shall be required pursuant to §37-1 herein for all subdivision applications where the cumulative area(s) of disturbance is one half (1/2) acre or more; and may be required for applications with less than one half (1/2) acre of disturbed area(s) if deemed necessary by the Planning and Zoning Commission. An electronic version of the plans in PDF format shall also be submitted.

#### **52-5.8 History of Property**

One (1) copy of a narrative and accompanying deed history describing how the application qualifies for a Subdivision or Resubdivision. An electronic version of this information in PDF format shall also be submitted.

#### **52-6 Standards for Subdivisions in Flood Hazard Areas**

In all special flood hazard areas, the following requirements shall apply:

##### **52-6.1**

All subdivision proposals shall be consistent with the need to minimize flood damage;

##### **52-6.2**

All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;

##### **52-6.3**

All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;

##### **52-6.4**

In Zone A, base flood elevation data shall be provided for subdivision proposals and other proposed development.

## 52-7 Other Evidence

Other evidence may be required, if necessary for the Commission's determination, establishing that the land to be subdivided is of such character that it can be used for building purposes without danger to health or the public safety or alteration of significant archeological, historical and/or paleontological resources (significance to be determined by the State Historic Preservation Officer), that the proper provision will be made for water, drainage and sewerage and, in areas contiguous to wetlands, brooks, rivers or other areas subject to flooding, that proper provision will be made for protective flood control measures, that in places deemed proper by the Commission open space for parks and playgrounds will be established and if the Commission shall have adopted a Town Plan of Development affecting the area of the proposed subdivision, that any proposed street shown on the subdivision plan is in harmony with existing or proposed streets shown on said plan, especially in regard to safe intersections with such streets.