



Town of Westport
Planning and Zoning Commission
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LEGAL NOTICE OF DECISION

Notice is hereby given that at a meeting held on **October 24, 2022**, the Westport Planning and Zoning Commission took the following action:

1. **GRANTED: 32 Reichert Circle:** Special Permit/Site Plan Appl. #PZ-22-00438 submitted by Andy Soumelidis, LANDTECH, for property owned by Katherine Arango and Arkadiusz Adamczyk, to authorize non-exempt excavation and fill activities for the construction of a new single-family dwelling with a pool, patio, and septic system, for property located in the Residence A District, PID#D12110000.
2. **GRANTED: 4 Coach Lane:** Special Permit/Site Plan Appl. #PZ-22-00476 submitted by CCO Habitats, LLC, for property owned by 4 Coach Lane, LLC, to authorize non-exempt excavation and fill activities for the construction of a 3.5 foot retaining wall to create a greater flat yard area, for property located in the Residence AA District, PID#D13127000.
3. **GRANTED: 7 Plumtree Lane:** Special Permit/Site Plan Appl. #PZ-22-00549 submitted by Trudell Homes, LLC, for property owned by Brianna and James Dangelo, to authorize non-exempt excavation and fill activities for the construction of a new single-family dwelling with new septic and drainage systems, for property located in the Residence AA District, PID#E11011000.
4. **ADOPTED AS MODIFIED: Text Amendment #823:** Appl. #PZ-22-00668 submitted by Rick Redniss, to modify §6-6, Redevelopment of Split Zoned Properties, §6-6.1, Non-conforming Buildings, to add to the list of unique zoning standards that may be applied when redeveloping non-conforming motels, hotels, motor inns, or tourist cabins, on lots that have a minimum of two hundred (200) feet of frontage on the Post Road, and consist of three (3) or more acres zoned both General Business District (GBD) and Residence A at the time of the effective date of §6-6 in 2008. The unique standards include allowing increased Building Height, allowing reduced drive aisle widths, and allowing non-conforming loading spaces to remain to fulfill the loading space requirements. The applicant withdrew his request to add language to §6-6.1 to exempt sidewalks from the standards in §32-8, Excavation and Filling of Land. A copy of the adopted text amendment is on file in the Town Clerk's Office and in the Planning and Zoning Office at Town Hall, 110 Myrtle Ave. Westport, CT.

Effective date: 11/10/2022

5. **GRANTED: 1595 Post Road East:** Special Permit/Site Plan Appl. #PZ-22-00667 submitted by W.I. Associates c/o Redniss and Mead, for property owned by W.I. Associates (now owned by Delamar Westport LLC), to redevelop the 116-room Westport Inn hotel into the 75-room Delamar Westport hotel, reliant upon adoption of Text Amendment #823, for property in both the General Business District and Residence A District, PID#H09120000.

Effective date: 11/11/2022

Dated at Westport, Connecticut this 28TH day of October 2022 Danielle Dobin, Chairman, Planning and Zoning Commission.

Submitted: September 28, 2022
Received: October 3, 2022
Revised: September 30, 2022 (Full Context)
Adopted: October 24, 2022
Effective: November 10, 2022

Proposed Text Amendment #823
§6-6.1 (Non-Conforming Buildings)

Note: Proposed new language is shown **highlighted yellow and underlined**.
Proposed deletions are shown **highlighted in blue, bracketed and struck through**.
Proposed modifications are shown **highlighted in green**.

6-6 Redevelopment of Split Zoned Properties

6-6.1 Non-Conforming Buildings:

Notwithstanding the above; on lots with a minimum of two hundred (200) feet of frontage on the Post Road containing three (3) or more acres zoned both GBD and Residence A at the time of the effective date of this section (Section 6-6) of the zoning regulations, a non-conforming building(s) and its uses may be allowed full or partial redevelopment, in either or both zones, provided the redevelopment shall result in the reduction, of existing non-conformities of building coverage, total coverage, and floor area, for the entire site treated as a single zoning entity, subject to the following:

6-6.1.1

Redevelopment shall be pursuant to Special Permit and Site Plan review, consistent with §34, §35, §43 and §44, unless specifically modified by the Commission, as follows:

- a. The requirement of a Residential District Boundary setback per §24-4 shall not apply along the internal boundary line within the site; and
- b. In the portion of the site zoned Residence A, floor area may be increased, provided:
 - i. The overall non-conforming floor area is reduced;
 - ii. The overall non-conforming building coverage is reduced;
 - iii. The overall non-conforming total coverage is reduced;
 - iv. Non-conforming landscaped buffer strips are made to conform to the requirements of §35-2.4; and
 - v. Existing undeveloped land in the Residence A zone is protected by a permanent conservation easement.

6-6.1.2

Where redevelopment is for a motel, hotel, motor inn, or tourist court, the Commission may determine that:

- a. The size, location, and operation of “related eating facilities” and meeting room floor area warrants any additional parking spaces.
- b. “Related eating facilities” may include, but are not limited to:
 - i. Self-service of foods already prepared or prepared and cooked quickly to be consumed on the premises, but shall not be a fast food restaurant;
 - ii. The retail sales of alcohol to be consumed on the premises, as allowed by a Restaurant Permit granted by the Department of Liquor Control and;

- iii. Seasonal outdoor seating;
- iv. A patron bar.
- c. Existing non-conforming loading spaces and turning radii ~~located under existing buildings~~ may be allowed to remain.
- d. ~~No building shall exceed three (3) stories or forty feet (40') in height measured to the mid-point of a pitched roof consistent with the Building Height definition in §5-2. Mechanical equipment is exempt from this limitation, up to ten (10) feet-eight (8) feet in height provided it is set back at least ten (10) feet from the edge of the building or screened on all sides below the peak of the roof or parapet.~~
- e. Drive aisle widths may be reduced to a minimum of twenty-two (22) feet.
- f. ~~§32-8 of these regulations shall not apply to the establishment of public sidewalks.~~