



Town of Westport
Planning and Zoning Commission
Town Hall, 110 Myrtle Avenue, Westport, CT 06880
Tel: 203-341-1030 Email: pandz@westportct.gov

July 13, 2023

SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:

Pursuant to State law there will be no physical location for this meeting. This meeting will be held electronically and live streamed on www.westportct.gov. This meeting will also be shown on Optimum Government Access Channel 79 and Frontier Channel 6020. The public may attend and offer testimony during the meeting by using the meeting link published on the agenda prior to the meeting. The meeting agenda is available at www.westportct.gov on the "[Meeting List and Calendar](#)" web page. Written comments may also be received prior to the Public Meeting and should be sent to PandZ@westportct.gov by 12:00pm on the day of the meeting if intended to be distributed for consideration by members of the Planning and Zoning Commission. Written comments received after 12:00pm on the day of the meeting will be entered into the record but will not be distributed until the next business day. Meeting materials submitted are available at www.westportct.gov, on the Planning and Zoning Department web page under "[P&Z Pending Applications & Recent Approvals](#)".

Instructions to Attend ZOOM Meeting:

Phone: + 1 646 876 9923 US (New York)

Meeting ID: 899 1969 3346

Passcode: 476228

ZOOM Link: <https://us02web.zoom.us/j/89919693346?pwd=VHhFUTliUXErVEpHc0YxbUdja3Y4OT09>

NOTICE/AGENDA Revision #1

PLANNING & ZONING COMMISSION

Monday, July 17, 2023, 7:00pm, Remote Meeting

Rescheduled from July 10, 2023, meeting that was cancelled.

I WORK SESSION

(The following will be discussed and voted on as time permits. The public may observe but may not participate.)

- 1. Discuss and Potentially Vote on Republican Alternate to Serve 2-Year Term.**
- 2. Approval of June Minutes: 6/05/23, 6/12/23, and 6/26/23**

II PUBLIC HEARING

(The following will be discussed and voted on as time permits. The public may participate at the public hearing.)

- 3. (Continued from 6/26/23): 259 Riverside Avenue (aka 251, 253, 257):** Coastal Site Plan Appl. #PZ-23-00170 submitted by Phil Cerrone III, for property owned by CEG Riverside LLC, for two non-residential balconies, for a property in the General Business District, PID #C08056000. *(Must decide by 8/25/23).* **Seated 6/26/23: PL, MC, PZ, AT, JB, ML, MF.**
- 4. (Continued from 6/12/23): Text Amendment #830/#PZ-23-00319** submitted by the Planning and Zoning Commission for modifications to §33-8.4.5 (*Allowable Area of Free-Standing Signs*), and §33-8.4.7 (*Setbacks for Free-Standing Signs*), to make accommodations for Bus Shelters. A copy of the amendment is on file in the Town Clerk's Office and in the Planning and Zoning Office and is attached herein. *(No action deadlines).* **Seated 6/12/23: DD, PL, NC, JO, PZ, AT, MF.**
- 5. 950 Post Road East:** Special Permit/Site Plan Appl. #PZ-23-00359 submitted by Kind Pet LLC, for

property owned by 950 Post Road LLC, to permit use of property for a Veterinary Hospital/Animal Clinic in the Highway Service District, #PID #F09059000. *(Must open by 08/30/23)*

6. **Text Amendment #827:** #PZ-23-00287 submitted by Richard Redniss of Redniss and Mead to add new definition in §5-2 for “General Development Plan” and to modify §39A, Inclusionary Housing Overlay District, to remove zoning obstacles for multi-family Development. A copy of the text amendment is available on-line at www.westportct.gov on the Planning & Zoning Office web page under “P&Z Pending Applications & Recent Approvals.” A copy may also be viewed at Town Hall, 110 Myrtle Ave., in both the Town Clerk’s Office and Planning & Zoning Office. *(No action deadline)*
7. **Map Amendment #829:** #PZ-23-00315 submitted by Richard Redniss of Redniss and Mead for property owned by RJRDL Investments LLC to rezone properties at 1608, 1610, 1620 and 1622 Post Road East from General Business District/Residence A District to Inclusionary Housing Overlay District, Parcel ID #'s H09177000, H09176000, H09174000, & H09175000. A copy of the map amendment is available on-line at www.westportct.gov on the Planning & Zoning Office web page under “P&Z Pending Applications & Recent Approvals.” A copy may also be viewed at Town Hall, 110 Myrtle Ave., in both the Town Clerk’s Office and Planning & Zoning Office. *(Must open by 08/09/23)*
8. **1608, 1610, 1620 and 1622 Post Road East:** Special Permit/Site Plan Appl. #PZ-23-00316 submitted by 1620 PRE Associates, for property owned by RJRDL Investments LLC, to review a General Development Plan which includes conversion of retail/restaurant space into a family golf entertainment facility, associated parking, landscaping, and future opportunity for 10 townhouses including 2 below market rate units, for a properties proposed to be rezoned from General Business District/Residence A District to Inclusionary Housing Overlay District pursuant to pending Map Amendment #829. The Parcel ID’s include H09177000 H09176000, H09174000, & H09175000. *(Must open by 08/09/23)*

III WORK SESSION

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

New Business:

- **No new business.**

Old Business:

- **No old business.**

Proposed Text Change (827)

Note: Proposed new language is shown highlighted and underlined.
Proposed deletions are shown ~~bracketed and struck through~~.
Proposed new language per discussion with neighbors is shown highlighted and underlined.

To Amend §5 (Definitions) by adding new Definitions (General Development Plan), to read as follows:

General Development Plan (GDP):

A plan intended to establish base parameters for site and architectural design pursuant to applications necessary to allow the Planning and Zoning Commission to review and approve a general plan for development or redevelopment of property prior to a final site plan. Documents generally consistent with §44-1 shall accompany the GDP, Special Permit, and Site Plan applications. Referral comments Approvals pursuant to §44-2 are not required shall be obtained prior to final site plan approval. Applications for GDP shall be subject to a public hearing and reviewed in accordance with §44-3.

To Amend §39A (Inclusionary Housing Overlay District IHZ), to read as follows:

39A-1 Purpose

... To help encourage housing, applicants may elect to pursue a General Development Plan simultaneously with IHZ Zone Change and Special Permit.

...

39A-4.2

Any lot created by subdivision or lot merger not in existence at the time this regulation was created must have a Regularity Factor of at least 0.5 [5]0.

39A-5 Density

39A-5.1 Maximum -

~~[The maximum allowable density shall not exceed twenty (20) bedrooms per gross acre. An additional maximum density of six (6) bedrooms per gross acre is permitted for affordable units that are exempt from this calculation.] ...~~

~~39A-5.2 Bedrooms -~~

~~For the purpose of these regulations, libraries, dens, studios, studies, lofts and other similar spaces shall be deemed to be bedrooms by the Commission. A single recreation room, a storage area and a utility room located in a cellar or basement without a bathroom will not be considered a bedroom.]~~

[Remainder of 39A5 to be renumbered.]

...

39A-6 Setbacks

... The Planning and Zoning Commission may allow parking and/or drive aisles in the GBD Zoned area up to five feet (5') from multi-family zoned properties where a determination is made that the adjacent use is not negatively impacted. The Planning and Zoning Commission may require that buildings in the residential zoned area not extend closer than thirty feet (30') to multi-family zoned property and fifty feet (50') to single-family residentially zoned and used property.

39A-7 Height

39A-7.5

An additional five (5') feet of height to accommodate elevators and rooftop screening may be allowed not to exceed thirty (30') feet. Nonconforming building height may remain and accommodate new building façade materials. Mechanical equipment up to ten (10) feet in height shall be exempt from height limitations provided such mechanical equipment is fully screened from neighbors.

...

39A-8 Coverage

To increase the diversity of housing choices and to provide additional below market rate housing, a [A] building coverage bonus [in the non-residential zone] shall be allowed. The bonus may not exceed five percent (5%) [of the non-residentially zoned portion] of the lot in excess of that which is allowed in the underlying [non-residential zone], except for the BCD and BCD/H zoning districts.

39A-10 Floor Area

39A-10.1 Total Maximum:

No one floor shall exceed an area of 2,500 square feet in the residentially zoned portion of the lot. This standard shall not apply to ALFCIL Facilities.]

39A-10.2 Unit Size:

The total interior floor area of a unit shall exclude garage parking spaces, common storage area, common stairs, common halls, common foyers and other similar spaces used in common. The average unit size shall not exceed 1,250 square feet.]

39A-10.[3]1.1

Existing nonconforming floor area may be relocated provided the overall nonresidential floor area is being reduced. [Remainder of 39A-10 to be renumbered.]

...

39A-18 Affordability Requirement and Plan

...

The applicant shall submit an “Affordability Plan” concurrently with a Special Permit and Site Plan or at final site plan subsequent to a General Development Plan application which shall prescribe how the regulations regarding affordability will be administered.

39A-14 Parking and Loading

Off-street parking and loading shall be provided in accordance with §34 of the Supplementary Regulations; however such parking and loading shall be located on the lot and to the rear of the front leading edge of any building facing the street, or where buildings are set further back, shall comply with the 30’ landscape buffer as provided in §35. Parking shall be required as provided in §34-5, except that the Planning and Zoning Commission may reduce the required multifamily parking standards by 0.5 spaces per unit. Tandem parking may be allowed subject to the discretion of the P&Z Commission.

Text Amendment #830/PZ-23-00319

Submitted: 5/31/23, Rev. 6/23/23

Received: 6/5/23

Public Hearing: 6/12/23, and to be cont. on 7/10/23

Adopted: _____

Effective date: _____

Proposed Text Change, Submitted by the Planning and Zoning Commission

Existing Deleted language is [~~struck out and in brackets~~]; New language is underlined and highlighted. Revised language is underlined, in green and highlighted.

§33 SIGNS

33-8 Permanent Signs Permitted in Other Non-Residence Districts: (RBD, GBD, GBD/S, GBD/SM, GBD/R, HSD, BPD, DDD, BPD, BCD & BCD/H)

The following signs are permitted in all Non-Residence Districts other than the RPOD, RORD, CPD and HDD Districts, subject to §33-2 and the following conditions:(819, 01/12/2023)

33-8.4 Free-Standing Signs

All free-standing signs shall be subject to ARB review and shall comply with the following requirements:

33-8.4.1

Only one (1) free-standing sign shall be permitted on a lot provided that it has at least one hundred (100) feet of street frontage on one street.

33-8.4.2

The free-standing sign shall identify the name of the business(es) occupying the lot and shall include the street address number at least 4 inches in size.

33-8.4.3

The sign shall be supported by a free-standing, self-supporting structure that is erected on the ground and is not attached to a building. The width of the support structure cannot be more than 25% of the horizontal dimension of the free-standing sign, and may be divided into one or more support legs, or the support structure will be included in calculating the total surface area of the sign

33-8.4.4

No free-standing sign shall exceed a height of twenty (20) feet or extend above the lowest point of the main roof line of any building, whichever is less, as measured from the ground to the top of the sign.

33-8.4.5

All free-standing signs except for a unified shopping center shall not exceed a total surface area of thirty-two (32) square feet. The total allowable surface area permitted is sixty-four (64) forty (40) feet on properties where a Bus Shelter is located to provide way-finding and to incentivize a new transit facility. A unified shopping center sign shall not exceed a total surface area of one hundred (100) square feet. The sign area for free standing signs is not included in the sign area as defined in §33-7.1.

33-8.4.6

No sign shall be located within fifty (50) feet of the boundary of a Residence District.

33-8.4.7

All signs shall be at least fifteen (15) feet from any property line. The minimum setback may be reduced to zero (0) feet on properties where a Bus Shelter is located to make accommodations for a new transit facility, provided:

- Sight lines are not inhibited;
- The sign is at least ten feet (10') from the edge of pavement;
- The street number is displayed on the sign and is at least six-inches in height; and
- Sign lighting is limited to externally lighting only.

