



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

October 17, 2023

The following meeting of the Planning & Zoning Commission was held remotely using Zoom Technology:

Planning and Zoning Commission Minutes

October 16, 2023

Remote Meeting

Meeting Started: 7:00P.M.

P&Z Members in Attendance: Danielle Dobin, Paul Lebowitz, Michael Cammeyer, and Jon Olefson

P&Z Members Absent: Neil Cohn, Amie Tesler, and Patrizia Zucaro

P&Z Alternates in Attendance: John Bolton and Marcia Falk

Town Staff: Mary Young, P&Z Director

I PUBLIC HEARING

- 1. 1620 Post Road East:** Site Plan Appl. #PZ-23-00478 submitted by 1620 PRE Associates, LLC, property owner, for indoor commercial recreation and entertainment use with restaurant service, parking lot modifications with a waiver of the submission of a Traffic Impact Analysis requested and residential redevelopment in a future phase in the General Business/Residence A district - Inclusionary Overlay District (GBD/Res A – IHZ), PID # H09177000, #H09176000, #H09174000, #H09175000.

Action: Testimony received. Hearing closed. Approved.

Vote: (5-1-0)

Vote: *In favor:* D. Dobin, P. Lebowitz, M. Cammeyer, J. Olefson, M. Falk

Vote: *Not In favor:* J. Bolton

See Resolution Attached.

- 2. 174 Long Lots Road:** Special Permit/Site Plan Appl. #PZ-23-00393 submitted by Aris W. Stalis of Aris Land Studio, for property owned by Fairfield Hunt Club, to construct two pickleball courts, a tennis court expansion, and a parking lot modification in the Residence AAA district, PID #H11066000.

Action: Testimony received. Continued to 11/06/23.

II WORK SESSION

New Business

- Discussion on potentially adopting regulations prohibiting Smoke Shops.
Action: Discussed.

Old Business

- **No old business.**

Ended 11:45pm

Respectfully submitted by D. Dewitt-Smith October 17, 2023



**Town of Westport
Planning and Zoning Commission**

Town Hall, 110 Myrtle Avenue
Westport, CT 06880

Tel: 203-341-1030 Fax: 203-454-6145 | pandz@westportct.gov
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Hearing: Oct. 2, 2023, and Oct. 16, 2023

Decision: Oct. 16, 2023

October 17, 2023

1620 PRE Associates, LLC
c/o Attorney Jim Randel
265 Post Road West
Westport, CT 06880

RE: 1620 Post Road East aka 1608, 1610, 1620 and 1622 PRE, Site Plan Appl. #PZ-23-00478

Dear Attorney Randel:

This is to certify that at a meeting of the Planning and Zoning Commission held on October 16, 2023, it was moved by Ms. Dobin and seconded by Mr. Cammeyer to adopt the following resolution:

RESOLUTION # PZ-23-00478

WHEREAS, THE PLANNING AND ZONING COMMISSION met on October 16, 2023, and made the following findings:

FINDINGS

Property Description/Background

1. 1608, 1610, 1620 and 1622 Post Road East were consolidated into one lot (1620 Post Road East), as shown on WLR Map #10575, recorded on the land records in August 2023. The combined lot area equals 3.078-acres.
2. 1608, 1610, 1620 and 1622 Post Road East are parcels owned by 1620 PRE Associates, LLC. The properties are developed with a one story and partial two-story retail shopping center totaling approximately 26,431+/- SF of floor area. The center was constructed in the 1940's and there is also a 2-story 2,328 SF +/- minor warehouse space and 55 surface parking spaces. The landscaping and parking areas are rundown and there are multiple curb cuts with little landscaping along the Post Road. There are 19 parking spaces along the eastern property line that are partially located on the adjacent property where condominium development is located.
3. Text Amendment #827, submitted by Rick Redniss of Redniss and Mead, was adopted on 7/24/23, and became effective 8/27/23. The amendment created a new definition for General Development Plan (GDP) and modified standards in §39A, Inclusionary Housing Overlay District.
4. Text Amendment #827 as modified amended 39A-2, Standards for Eligibility, to limit use of the

GDP process in the Inclusionary Housing Overlay District to lots that are 3+-acres in size.

5. Text Amendment #827 modified §39A, Inclusionary Housing Overlay District as follows:
 - i. §39A-1, Purpose, To provide the opportunity for applicants seeking redevelopment of large-sized lots to pursue a General Development Plan.
 - ii. §39A-4.2, Lot Area and Shape, To amend the 0.55 regulatory factor to 0.50.
 - iii. §39A-5.1 and §39A-5.2, Density, To remove the bedroom requirements within the density section to provide the flexibility for applicants to have larger bedroom units and to help meet the need for family sized apartments.
 - iv. §39A-6, Setbacks, To allow for new parking and drive aisles within the GBD Zone to extend up to 5' to multi-family zoned property, buildings to extend up to 30' to multi-family zoned property, and 50' to single-family at the discretion of the Commission.
 - v. §39A-7.5, Height, To allow 5 feet of additional height to accommodate ADA access to 2nd stories and rooftops.
 - vi. §39A-8, Coverage, To allow the existing 5% building coverage bonus to apply to the whole site rather than just the non-residential portion.
 - vii. §39A-10.1 and §39A-10.2, Floor Area/FAR, To remove the 2,500 SF maximum requirement for one floor, average unit size, interior floor are exclusions, and to allow existing nonconforming floor area to be relocated provided the overall nonconforming floor area is reduced.
 - viii. §39A-14, Parking and Loading, To correct wording inadvertently changed when updating the regulations and restore language originally adopted by Text Amendment #619.
 - ix. §39A-18, Affordability Requirement and Plan, To amend the regulation to require the Affordability Plan at final review when more details are available rather than during the preliminary review process.
6. Map Amendment #829 granted on 7/24/23, and effective on 8/28/23, rezoned the properties at 1608, 1610, 1620 and 1622 Post Road East from General Business District/Residence A (GBD/Res A) to GBD/Res A - Inclusionary Housing Overlay District (GBD/Res A-IHZ).
7. **General Development Plan/Special Permit Resolution of approval #PZ-23-00316 was issued on 7/24/23, and became effective on 8/29/23, and approved base parameters for the proposed redevelopment to include adaptive reuse of portions of the building to accommodate a golf entertainment and restaurant facility and multi-family development in the rear.**
8. The General Development Plan (GDP) proposed a phased redevelopment with the initial phase limited to commercial activities, followed by a supplemental phase limited to residential development. The residential development consists of 10 Townhomes including two (2) below-market rate Dwelling Units. The residential development will require a separate Site Plan approval and is not part of the proposal herein

9. The GDP confirmed the commercial activities shown on the applicant's plans met the Special Permit standards, including conversion of retail/restaurant space into a family golf entertainment and restaurant facility, associated parking, driveway modifications, landscaping, and lighting improvements.
10. **Resolution #PZ-23-00316** also granted the applicant a Phased Approval to permit the new golf entertainment and restaurant facility in one phase and the residential redevelopment in a subsequent phase pursuant to §44-1.5 of the Zoning Regulations.
11. Resolution #PZ-23-00316 additionally granted approval to use an "Other" parking standard for the indoor golf recreational facility and restaurant pursuant to §34-5 of the Zoning Regulations.
12. The new 8,459 SF facility will generate a parking demand of 53.19 spaces. The remaining 18,472 SF retail floor area generates a demand for 80.81 parking spaces; combined the site demand will equal 134 spaces which is less than the current 147-space demand.
13. The 53.19 space parking demand for the 8,459 SF indoor golf recreational facility and restaurant was calculated by adding:

4,712 SF/180 (Retail for golf simulators and karaoke area) =	26.18
500 SF/180 (Retail for Elevator Lobby)	2.78
971 SF/50 (Patron) =	19.42
2,148 SF/500 (Non-Patron area, storage and elevator mechanical room)	4.30
+ 128 SF/250 (Office and Support Area) =	0.51

Total= 8,459 SF

Total = 53.19 spaces

14. Various modifications accompanied the GDP/Special Permit approval requiring the applicant supply information when submitting a future Site Plan application. It was identified that a Site Plan approval must be obtained before any construction activities may occur.
15. Modification #4 of the GDP/Special Permit Res. #PZ-23-00316 required the following as part of a Site Plan application for the commercial activities:
- "In the event that the applicant's Phase I Environmental Assessment, recommends that a Phase II Environmental Assessment is needed, or alternately, if the peer reviewer hired by the Town recommends a Phase II Environmental Assessment, the applicant shall perform a Phase II Environmental Assessment;*
 - A completed Sustainability Scorecard using Stamford's template shall be submitted by the applicant for review by the P&Z Commission's Sustainability Committee prior to issuance of a Zoning Permit.*
 - Details on sound attenuation measures for the rooftop deck;*
 - Compliance with §32-20, Special Requirement for Outdoor Eating Areas; with the added requirement that the use terminate at 10:00pm as offered by the applicant.*
 - Compliance with §34, Off-Street Parking and Loading;*
 - Compliance with §35, Landscaping, Screening and Buffers;*
 - Compliance with §44, Site Plan Standards and Objectives, including submission of*

the following:

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- i. *Site Plan Map including proposed lighting; with the added requirement that all exterior lighting, including signage, be Dark Sky compliant;*
- ii. *A construction phasing plan and schedule consistent with the applicant's request pursuant to §44-1.5 seeking to permit the initial new family golf entertainment facility and restaurant in Phase 1A and 2 with a residential redevelopment in Phase 1B and 3;*
- iii. *Building Plans, including elevation plans showing how proposed rooftop mechanicals, their height and how they will be screened from view from all sides;*
- iv. *Local Agency Reports, including CT DEEP Water Management;*
- v. *Drainage Report;*
- vi. *Traffic Impact Analysis;*
- vii. *Sewerage Report; and*
- viii. *Final Landscape Plan."*

Proposal

16. The applicant is seeking Site Plan approval to renovate the existing retail building to facilitate the redevelopment of existing retail/restaurant space into a new 8,459 SF family golf entertainment and restaurant facility and residential development in a future phase subject to Site Plan approval. The proposal includes:

A. Improvements to the building including:

- i. Offering ADA elevator access to the outdoor dining deck on the roof;
- ii. Upgrading rooftop mechanicals;
- iii. Constructing a new exterior stair along the east façade;
- iv. Addressing an unsafe condition as concluded by the Building Official, replacement of the existing exterior stair, which will serve to provide code compliant egress from both the 2nd floor of Redi-Cut Carpet as well as the outdoor dining roof deck;
- v. Adding aluminum storefronts as recommended for approval by the ARB;
- vi. Adding louvers on the roof to provide solar shading;
- vii. Reinforcing, repairing, and reducing the east parapet wall to a conforming height not to exceed 25 ft;
- viii. Removing floor area by removing an existing accessory building.

B. Improvements to the site, including:

- i. Reducing the number of curb cuts from five to two;
- ii. Bringing the sight lines into compliance with local and state standards;
- iii. Reconfiguring parking to improve traffic circulation and provide sidewalks;
- iv. Improving parking space deficiency in comparison to existing conditions by:
 - a. Decreasing parking demand from 147 to 134 spaces; and

b. Increasing parking supply from 35 to 84 spaces.

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- v. Installing a stormwater management system;
 - vi. Adding landscaping along the street frontage, parking areas, and site perimeter;
 - vii. Adding Dark Sky compliant site lighting;
 - viii. Installing a privacy fence and screening along a portion of the perimeter residential zoning district boundary line;
 - ix. Providing refuse areas that will be fully enclosed;
 - x. Providing a bike-rack to support alternative modes of transportation that may be used by employees or residents to access the site.
- C. The applicant initially proposed to restrict exiting vehicles from turning left or westbound by installing signage and a traffic island. The applicant subsequently agreed to remove this element from their proposal in deference to their traffic engineer, John Canning, who stated the change was NOT warranted in a memorandum dated 10/15/23, and in deference to supplemental comments from the Police Dept. dated 10/16/23 agreeing with Mr. Canning.
- D. Requesting a waiver to submit a Traffic Impact Analysis.

17. The proposal if approved will bring the property into greater zoning compliance by reducing the degree of non-conformity to the following zoning standards:
- A. Setbacks;
 - B. Building Coverage;
 - C. Total Coverage;
 - D. Floor Area and Floor Area Ratio;
 - E. Minimum parking requirements;
 - F. Parking lot layout requirements;
 - G. Driveway requirements;
 - H. Drainage requirements;
 - I. Landscaping requirements; and
 - J. Lighting requirements.

Department Comments and Other Reviews

18. Planning and Zoning staff in a report dated 9/29/23 described how potential environmental concerns related to prior use of the rear portion of the property as a landfill will be addressed.
19. The staff report described the applicant submitted a Phase I Environmental Site Assessment prepared by Loureiro dated 8/28/23. The report concluded:
- "There are no environmental findings that would indicate that the Site cannot be used for your contemplated conversion of the existing building into a golf simulator lounge and new parking."*

20. Planning and Zoning staff hired HRP Associates to conduct a peer review of the applicant's Phase I Environmental Site Assessment.
21. The Peer Review prepared by Michael Ainsworth, LEP, CPG and Jason Beach, LEP, CPG both from HRP, concludes by stating:
- "The solid waste materials, soils, and ground water have not been characterized at the site. Additional evaluation would be required to determine the chemical composition and degree and extent of the waste and environmental impact. This would require sampling and laboratory analysis of subsurface materials as part of a Phase 2 Subsurface Investigation. Alternatively, for portions of the project that are anticipated to involve only limited excavation, evaluation and handling of these materials could be done under a soils management plan that addresses all state and federal statutes and regulations."*
22. A response to the Peer Review was submitted by David Fiereick, P.E., L.E.P. of Loureiro on 9/29/23. The applicant offered to submit a Soils Management Plan and authorization application for disruption of a solid waste disposal area from CT DEEP for construction of the parking area and drainage systems. Mr. Fiereick's letter concludes by stating,
- "In sum, our client has already instructed us to undertake all steps to comply with DEEP regulations. We understand that may be a condition of a Zoning Commission approval, and we have no issue with that. We do not believe that a Phase II cost or delay is warranted – and a careful reading of the HRP letter indicates that HRP does not disagree given the particulars of the present application. A Phase II is really not necessary when we have already set up guardrails to address whatever a Phase II investigation might reveal."*
23. Mr. Ainsworth responded in a letter dated 9/29/23 to the Loureiro 9/29/23 letter concluding:
- "Based on the limited volume of soil and possible solid waste material anticipated to be removed from the site as shown on the drainage plan, we agree that any subsurface materials exposed or excavated could be examined and characterized during construction and properly handled according to a soils management plan as outlined in LEA's letter. We agree that a full Phase II investigation is not necessary for this phase of the project, and that characterization of the subsurface materials is not required prior to initiating the work. If DEEP requires more information about the proposed plan, that would be determined during the application process."*
24. Edward Gill from the Department of Public Works in comments dated 9/29/23 identified:
- "The likelihood of encountering significant solid waste during the construction of the rear parking lot is significantly higher than the LEA Phase 1 indicates....We would only recommend the approval of the proposed rear parking lot, drainage system, and utilities if an LEP is on site to monitor all construction activities to ensure compliance with CT DEEP requirements."*
25. Mr. Gill's 9/29/23 comments also described his concern for the proposed drainage system and whether it will be approved by the State of Connecticut Department of Transportation. Mr. Gill stated:
- "The CT DOT comments... include several required revisions, some of which appear to be substantial in scope. We would recommend that the applicant address these comments prior to obtaining the approval of the Planning and Zoning Commission."*

26. P&Z Staff in their 9/29/23 report described activities are proposed in the State of Connecticut Department of Transportation's (CTDOT) jurisdiction; therefore, their approval is required. P&Z Staff further described CT DOT has a policy that precludes their final decision from being issued until after the Planning and Zoning Commission renders its' final decision.
27. The P&Z Staff report noted Stephen Moran, of CT DOT's Bureau of Highway Operations, submitted comments dated 9/22/23 requesting the applicant incorporate plan revisions to which the applicant agreed. P&Z Staff suggested to the P&Z Commission Mr. Moran's comments addressed the requirements in §44-2.2 of the Zoning Regulations that require, "Sufficient evidence" of a "reasonable probability of success" for obtaining State approval for work in their jurisdiction.
28. Supplemental comments from the State were received from CT DOT's Bureau of Engineering and Construction dated 9/26/23 requesting the applicant substantially revise their stormwater management system. The applicant agreed to revise their plans and resubmit to CT DOT.
29. Plans prepared by LANDTECH revised 10/10/23 were submitted on 10/10/23.
30. A Stormwater Management Report by LANDTECH revised 9/28/23 was submitted on 10/12/23.
31. The revised plans and report by LANDTECH were submitted to CT DOT for further comments.
32. Supplemental comments from CT DOT dated 10/16/23 were received from Stephen Tucker stating an approval letter WILL be going out in the near future after minor plan revisions are made.
33. The Fire Marshal, in comments dated 9/13/23 offered no comments for work proposed in this (commercial) phase of the redevelopment. He identified a fire hydrant will be required to be installed in the southern portion of the property in preparation for the next phase when residential development is proposed. The applicant revised the plans to include this improvement.
34. The Conservation Director in comments dated 9/6/23 described the activities proposed in this phase of the redevelopment are eligible for an Administrative approval from his department that should be secured prior to issuance of a Zoning Permit. He identified the next phase involving residential development will be reviewed and comments will be offered when the next application is submitted.
35. The Architectural Review Board recommended approval at their 9/26/23 meeting.
36. The Police Department offered no objections to the overall project in their comments dated 9/20/23. In supplemental comments dated 10/11/23 they offered no objections to the proposed traffic island restricting left-hand or westbound turns for exiting traffic. In a second supplemental comment dated 10/16/23 they offered support for removing the left-hand turning restriction from the plans in deference to supplemental comments from the applicant's traffic engineer, John Canning, who stated in a memorandum dated 10/15/23 that the turning restriction was NOT warranted.

Traffic Impact Analysis

37. Both §39A-19 and §44-2.5 of the Zoning Regulations requires the applicant submit a Traffic Impact Analysis for any proposal that includes more than forty (40) new parking spaces.
38. The proposal includes more than forty (40) new parking spaces.
39. The applicant requested a waiver of the requirement to submit a Traffic Impact Analysis.
40. The applicant submitted a Traffic Memorandum prepared by John Canning of Kimley-Horn and Associates Inc. revised 10/6/23 in support of their request. The Memorandum concludes minimal traffic impacts are anticipated from this phase of redevelopment wherein one commercial tenant is replacing several others, and some of the existing floor area will be permanently removed.
41. The applicant submitted a supplemental Traffic and Parking Evaluation Memorandum, also dated 10/6/23 prepared by Kimley-Horn that identifies a Traffic Impact Analysis is not warranted as only 79 new trips are anticipated. Such an analysis is recommended, according to industry standards, only when a development generates 100 new trips during peak hour traffic.
42. P&Z Staff solicited feedback on the applicant's waiver request from the Westport Police Department. Westport PD Staff Corporal Al D'Amura, in comments dated 9/11/23, stated he has no issues with the applicant's request for a waiver of a Traffic Impact Analysis.
43. P&Z Staff advised in supplemental comments dated 10/10/23 they concur with Westport PD staff, citing the applicant's traffic memorandums and plans that together demonstrate the project as designed meets the standards in §44-2.5 as once implemented will improve upon existing inadequate conditions and should not create any adverse impacts to traffic.
44. A majority of Planning and Zoning Commissioners find there is sufficient evidence in the record negating the need for a Traffic Impact Analysis to be submitted at this time.

Public Hearings

45. Public hearings were held on 10/2/23 and 10/16/23 to receive testimony from the public.
46. Written correspondence was additionally received from neighboring property owners including but not limited to a letter of support from the President of the Lansdowne Condominium Association, sent on behalf of the Association, dated 10/13/23.
47. The public hearings were held remotely consistent with State Statutes. The hearing was broadcast live on public access television, was live streamed on the Town's website, and anyone could join the meeting and offer testimony by accessing the meeting link published on the agenda one week prior to the meeting.
48. All application materials, and public comments received in writing prior to the meeting were posted on the Town's website to maintain transparency while conducting remote meetings.

NOW THEREFORE, BE IT RESOLVED that 1620 Post Road East: Site Plan Appl. #PZ-23-00478 is APPROVED as submitted by 1620 PRE Associates, LLC, property owner, for indoor commercial recreation and entertainment use with restaurant service, parking lot modifications with a waiver of the submission of a Traffic Impact Analysis requested and residential redevelopment in a future phase in the General Business/Residence A district - Inclusionary Overlay District, PID #'s H09177000, H09176000, H09174000, H09175000, subject to the following modifications:

Modifications

1. Conformance to Site Development Plans by LANDTECH (14 Sheets), revised 10/10/23, to be further revised to remove signage and traffic island associated with the easterly driveway's left-hand turning restriction consistent with the recommendations received from the applicant's traffic engineer dated 10/15/23.
2. Conformance to Phasing and Building Plans by FWH Architects, (7 Sheets) dated 9/5/23.
3. Conformance to Parking and Use Chart by FWH Architects, dated 9/5/23. The chart shall be revised as agreed to by the applicant to match the information listed in Finding #13 herein and the chart shall be added to the Phasing and Building Plan set prepared by FWH Architects, as agreed to by the applicant, prior to issuance of a Zoning Permit.
4. Conformance to Stormwater Management Report by LANDTECH, revised 9/28/23.
5. Conformance to Acoustics Report by SH Acoustics, dated 9/22/23.
6. Adherence to recommendations from HRP Associates, as agreed to by the applicant, that in lieu of preparing a Phase 2 Environmental Report, the applicant shall submit to DEEP a Soils Management Plan and authorization application for disruption of a solid waste disposal area for construction of the parking area and drainage systems, prior to any site disturbance. Proof of adherence to this condition to be submitted to the P&Z Department.
7. A licensed environmental professional (LEP) shall be hired at the applicant's expense to monitor all construction activities to ensure compliance with CT DEEP requirements with weekly reports provided to the P&Z Department, as recommended by DPW staff in comments dated 9/29/23.
8. Compliance with conditions imposed by Res. #PZ-23-00316, **granted for the General Development Plan and Special Permit**, unless modified herein.
9. Prior to issuance of a Zoning Permit, the applicant shall submit:
 - A. Revised Site Development Plans by LANDTECH per Modification #1 above.
 - B. Revised Phasing & Building Plans by FWH Architects per Modification #3 above.
 - C. A digital copy and one hard copy of the plans referenced above;
 - D. Proof of compliance with Modification #7 above.
 - E. A completed Sustainability Scorecard using the City of Stamford's template;
 - F. Final approval from CT DOT for proposed Stormwater Drainage System and other work within the State's jurisdiction;
 - G. Administrative signoff from the Conservation Department; and
 - H. Final approval from DPW Engineering and securing of any DPW permits needed.

10. The Planning and Zoning Commission will require submission of a Site Plan application for development of the residential units proposed in a future phase and potentially a Traffic Impact Analysis as described in §44-2.5 as one was not provided with this application.
11. Prior to the commencement of any construction, site work, tree removal, or demolition, the soil and erosion controls shall be installed and inspected by Staff.
12. Trees and shrubs on Town property or in the Town right of way shall not be removed, pruned, injured, or defaced without the consent of the Town's Tree Warden.
13. The replacement and/or repair of a stone wall greater than four (4) feet in height shall require the issuance of a building permit.
14. All disturbed and regraded areas shall be planted with a suitable ground cover pursuant to §32-8.4.
15. Prior to the issuance of the Zoning Certificate of Compliance, the applicant shall submit:
 - A. An "As-Built" Survey stamped by a licensed surveyor or engineer; and
 - B. A Parking Management Plan, as agreed to by the applicant, that includes standards for managing large events as well as alternative modes of transportation used to access the site. The Plan shall include at a minimum when an off-duty Police Officer shall be hired to direct traffic for large events, if/how off-site event parking and shuttle service will be accommodated, and identifying where Uber drivers shall pick-up and drop-off patrons.
16. This application is granted upon the condition that all construction and site improvements shall be in general accordance with the plans and other documents submitted and any statements or representations made by the applicant or agent on the record. Any deviation from such documents or representations shall require further review and approval from the Commission.
17. All work approved pursuant to this Site Plan shall be completed within five (5) years of date of approval, by October 16, 2028.
18. This is a conditional approval. Each and every condition is an integral part of the Commission decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect, then this conditional approval is likewise void. The applicant may refile another application for review.

ENFORCEMENT Failure to comply with any standard or condition contained in this Resolution, shall be considered a zoning violation pursuant to §45-2 of the Westport Zoning Regulations. The failure to undertake corrective action within ten (10) days of being notified of such violation may result in the following remedies: 1) issuance of a notice of violation; 2) issuance of a cease and desist order; 3) issuance of a municipal citation with daily fines of up the maximum allowed by statute; and/or 4) enforcement action through a judicial proceeding.

Reasons:

1. The enhancements planned for the property at 1608-1622 Post Road East will be an improvement to the appearance of the Post Road, will enable the site to operate more efficiently, and the redevelopment will serve as an asset to the community.
2. The Commission confirmed the proposal yields opportunities for benefits including:
 - a. Encouraging mixed-use developments (containing housing) in order to increase the variety of housing choices in locations with access to shopping and public transportation.
 - b. Expanding development potential thereby potentially growing the Grand List.
 - c. Designating a use for the site and enabling redevelopment consistent with the zoning regulations.
3. The application as modified has been found to be in conformance with all applicable zoning regulations, with the *2017 Plan of Conservation and Development*, and the Site Plan standards listed in §44-5.

VOTE:

AYES	-5-	{Dobin, Lebowitz, Cammeyer, Olefson, Falk}
NAYS	-1-	{Bolton}
ABSTENTIONS	-0-	

Very truly yours,

Danielle Dobin
 Chairman, Planning & Zoning Commission

- cc: Rick Redniss, Redniss and Mead
 Rick Hoag, FWH Architect
 Peter Romano, LANDTECH
 Michael Ainsworth, HRP Associates
 Jason Beach, HRP Associates
 David Fiereck, Loureiro
 John Canning, Kimley Horn
 Keith Wilberg, Town Engineer
 Ted Gill, Engineering Department
 Colin Kelly, Conservation Director
 Jenn Fava, Parks and Recreation Director
 Paul Friia, Tax Assessor
 Terry Dunn, Fire Marshal
 Foti Koskinas, Police Chief
 Al D'Amura, WPD Staff Corporal

