



**Town of Westport**  
 Planning and Zoning Commission  
 Town Hall, 110 Myrtle Avenue  
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[www.westportct.gov](http://www.westportct.gov)

May 23, 2024

**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](http://www.westportct.gov) and/or 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](http://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](mailto: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](http://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: 842 4779 0311

Passcode: 842518

ZOOM Link: <https://us02web.zoom.us/j/84247790311?pwd=NER1Q3BhSIB1S0tsNjNyVnM2TGN2UT09>

**NOTICE & AGENDA**

**PLANNING & ZONING COMMISSION**

**SPECIAL MEETING (due to earlier start time at 6pm in lieu of 7pm)**

**Monday, June 3, 2024, 6:00pm, Remote Meeting**

**\*\*\*NOTE EARLIER STARTING TIME\*\*\***

**I. WORK SESSION (The public may observe, but not participate)**

- Approval of May Minutes: 5/06/24 & 5/20/24

**II. PUBLIC HEARING**

*(The following will be discussed and voted on time permitting. The public may observe and participate)*

1. *(Continued from May 20, 2024) Text Amendment #843: #PZ-24-00197 submitted by Cindy Tyminski of Moon Gardens, LLC, and revised since May 20, 2024, seeking to modify §31-9, Liquor Establishments, and §5-2, Retail Food Establishments, to allow for liquor service for on-site consumption at existing Retail Food Establishments in the Residence B zone as of the adoption of the proposed amendment. The difference from the initial proposal is the current proposal will benefit only existing Retail Food Establishments in the Residence B zone (instead of existing Retail Food Establishment in any residential zone). The targeted benefitting property is 222 Hillspoint Rd., Old Mill Grocery and Deli by Romanacci. (Must close by 6/24/24)*

**Commissioners Sitting on 5/20/24: P. Lebowitz, N. Cohn, M. Calise, A. Wistreich, B. Injeski, N. Laskin**

2. **170 Riverside Avenue:** Special Permit/Site Plan Appl. #PZ-24-00211 submitted by Peter Romano of LANDTECH, for property owned by Town Of Westport, to replace PAL Clubhouse at Doubleday Field, for a property located in the Residence A district, PID #C08032000. *(Must open by 6/26/24)* **Application Presentation Time: 15 Minutes**
  
3. **33 Bayberry Lane:** Special Permit/Site Plan Appl. #PZ-24-00229 submitted by Curt Lowenstein of LANDTECH, for property owned by Kristen Ripka, to permit non-exempt excavation and fill, for a property located in the Residence AA district, PID #C11099000. *(Must open by 7/10/24)* **Application Presentation Time: 15 Minutes**

### **III. WORK SESSION** *(The public may observe, but not participate)*

#### **4. New Business:**

- No new business.

#### **5. Old Business:**

- No old business.

**Text Amendment #843**

Authored by: C. Tyminski, Moon Gardens LLC

Submitted: 4/08/24

Received: 4/22/24

Revised: 5/22/24

Public Hearing: 5/20/24, and continued to 6/3/24

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

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

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

**31-9 Liquor Establishments**

**31-9.1**

The sale of alcoholic liquor for on premises consumption shall be limited to Non-Residential Zoning Districts except for:

1. ~~[[~~Liquor establishments in Residential Districts that have a valid liquor permit issued by the Connecticut Liquor Control Commission as of the effective date of this regulation August 9, 2010;
2. **Retail Food Establishments existing in the Residence B district as of the date of this regulation, June 3, 2024; or**
3. Special Events that obtain a temporary liquor permit approved by the P&Z Director, the Police Chief and issued by the Connecticut Liquor Control Commission.

**5-2 Specific Terms**

Except as otherwise stated, or as the context may otherwise require, the following words, for the purpose of these regulations, shall be defined as follows:

**Food Establishment Retail:**

A retail food establishment shall mean any business where food or **non-alcoholic** beverages are sold to the public for either on premises or off premises consumption ~~[- except that]~~ **and** the sale of alcoholic beverages must be for off-premises consumption ~~[-]~~ **only, except such establishments that exist in the Residence B district as of the date of this regulation, June 3, 2024, may provide alcoholic beverages for on-premise consumption.** A retail food establishment may have no more than 10 indoor patron seats. Such establishments shall not be considered Restaurants and no additional parking will be required provided that they have indoor seating for no more than 10 patrons. For outdoor seating – See §5-2 & §32-20 Outdoor Eating Areas.