



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

Planning and Zoning Commission Minutes

May 6, 2024 Remote Meeting Meeting Started: 7:00P.M.

P&Z Members in Attendance: Neil Cohn, Michael Cammeyer, Patrizia Zucaro, Michael Calise, Amy Wistreich, John Bolton, Breanne Injeski (sitting for Paul Lebowitz)

Town Staff: Mary Young, P&Z Director

I. WORK SESSION

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

- 1. **Approval of Minutes: 04/08/24**

Action: Approved.

Vote: In favor (6-0-1): N. Cohn, M. Cammeyer, M. Calise, A. Wistreich, P. Zucaro, J. Bolton

Vote: Abstain: B. Injeski

II. PRE-APPLICATION MEETING *(The public may observe, but not participate)*

- 2. **125 Riverside Ave.:** Submitted by Eric Bernheim Esquire, seeking feedback on utilizing §44-7, Division of Land in Mixed Use Development, to facilitate division of property and to apply §32-18, Historic Residential Structures, to preserve the existing Historic Building as well as build a new Principal Building.

Action: Atty Bernheim and Lucien Vita presented their ideas and solicited feedback.

III. PUBLIC MEETING

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

- 3. **260 Compo Road South:** Appl. #PZ-24-00199, Request for a report from the Planning and Zoning Commission, submitted pursuant to CGS §8-24, Municipal Improvement, submitted by Peter Romano of LANDTECH for Longshore Hospitality, LLC, on behalf of the First Selectwoman, for Substantial Improvement to a Town-owned building, Inn at Longshore, including interior and exterior renovations. The property is in the Residence AA/AAA districts, PID #C04001000.

Action: Positive report issued.

Motion to Approve: A. Wistreich (2nd J. Bolton)

Vote: In favor: (7-0-0) N. Cohn, M. Cammeyer, M. Calise, A. Wistreich, P. Zucaro, J. Bolton, B. Injeski

IV. PUBLIC HEARING

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

- 4. *(Opened and continued without testimony on 03/25/24). 7 Winker Lane:* Special Permit/Site Plan Appl. #PZ-24-00072 submitted by Andy Soumelidis, LANDTECH, for property owned by SIR-7 Winker Lane, to permit non-exempt excavation and fill, for a property located in the Residence AAA district, PID #B14062000.

Action: Granted

Motion to Approve: P. Zucaro (2nd J. Bolton)

Vote: In favor: (7-0-0) N. Cohn, M. Cammeyer, M. Calise, A. Wistreich, P. Zucaro, J. Bolton, B. Injeski

- 5. *(Opened without testimony on 03/25/24, and to be further continued to 5/20/24. 5/20/24. No testimony will be received on 5/6/24).* 50 Sylvan Road North: Resubdivision Appl. #PZ-24-00034 submitted by Richard Benson, R.B. Benson & Co., for property owned by Sazes Partners, L.P., for a requested 2-Lot Resubdivision of property located in the Residence AA district, PID#B09009000.

No testimony received.

Further continued to 05/20/24

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

- 6. New Business

Action: Work session scheduled for 5/13/24 cancelled by unanimous agreement.

Ended 9:38pm

Respectfully submitted by K. Velky May 9, 2024



WESTPORT

Planning & Zoning Department

Town Hall, 110 Myrtle Avenue, Room 203
Westport, CT 06880
www.Westportct.gov | pandz@westportct.gov
Telephone (203) 341-1030

Public Meeting: May 6, 2024

Decision: May 6, 2024

May 7, 2024

Honorable Jennifer Tooker, First Selectwoman
110 Myrtle Avenue
Westport, CT 06880

RE: 260 Compo Rd. South (Longshore Club Park), PZ-24-00199, Request for a Report pursuant to CGS §8-24 Municipal Improvement, regarding Substantial Improvements to the Inn at Longshore including interior and exterior renovations

Dear First Selectwoman Tooker:

This is to certify that at a meeting of the Planning and Zoning Commission held on May 6, 2024, it was moved by Ms. Wistreich and seconded by Mr. Bolton to adopt the following resolution:

RESOLUTION #PZ-24-00199

WHEREAS THE PLANNING AND ZONING COMMISSION met on May 6, 2024, and offer the following findings and recommendations:

Background

1. 260 Compo Road South, Longshore Club Park, is a 168⁺-acre Town-owned property. It is located in the Residence AAA and AA zoning districts, in the Coastal Area Management Boundary, adjacent to the Saugatuck River, in the Waterway Protection Line Ordinance jurisdiction, (portions) are in the 100-year flood zone (AE 14 and VE 15) and other portions are not (Zone X) including the Inn at Longshore.
2. 260 Compo Road South is home to the Inn at Longshore facility that includes La Plage Restaurant offering both indoor dining and outdoor dining.
3. The Inn at Longshore is also a venue for special events such as weddings, holiday parties, birthdays, and business dinners. Accommodations are additionally offered at the Inn consisting of twelve (12) guest rooms.

4. The Town of Westport, on Jan. 1, 2007, leased the Inn at Longshore to Longshore Associates of Westport LP, whose principal was Rory Tagert. Two extensions were granted and minor lease amendments were subsequently adopted. Longshore Associates of Westport LP assigned the lease to Longshore Hospitality LLC in 2020.
5. A 4th amendment to the lease extends the lease term for ten (10) years beginning Jan. 1, 2029, and ending Dec. 31, 2038, and grants the tenant two, ten (10) year options to further extend the lease until Dec. 31, 2058.
6. The amended lease additionally requires the tenant complete a multi-million dollar comprehensive renovation detailed in Exhibit A of the lease and referenced as the "Improvement Project."
7. The 4th amendment to the 2007 lease was reviewed by the Planning and Zoning Commission who issued a Positive §8-24 Report in March 2023.
8. The Planning and Zoning Commission's 2023 Positive §8-24 Report for the 4th lease amendment included the following recommendation:

"Another §8-24 Request should be submitted to the Planning and Zoning Commission when the renovation plans are available for the planned substantial improvement."

Proposal

9. Longshore Hospitality, LLC, is contractually obligated to complete the "Improvement Project" according to the terms of the 4th amendment of the lease and the required renovations are what is being proposed now for the Commission's consideration.
10. The proposed interior and exterior renovations to the Town-owned building constitute a substantial improvement as described in §8-24 of the Connecticut General Statutes warranting the P&Z Commission's review.
11. LANDTECH, representing Longshore Hospitality Group, LLC, submitted a project narrative which describes the Improvement Project in part as:

“Longshore Hospitality LLC plans for the Inn include extensive renovations and a proposed small addition. The interior renovations include but not limited to a new HVAC system throughout, replacement of the windows and doors, an increased number of guest rooms along with the renovation of the current rooms, updated ballroom and drawing rooms, updated lobby, completely remodeled kitchen that is associated with the Inn and restaurant, various plumbing and electrical upgrades and ADA compliance updates. The architect, Ken Nadler, is proposing to create a new entrance with a porte cochere. The other exterior renovations include a series of patios that will extend across the length of the building and have access to the great lawn and shoreline, new landscaping, upgraded exterior lighting and signage and replacement of siding and roofing. The estimated construction cost for this project is approximately \$5 million. Site improvements will also include a new drive entrance, enhanced parking, and a robust landscaping plan around the site of the Inn. Site drainage will be included to provide water quality. Currently there is no drainage or water quality mitigation in the vicinity of the Inn.”

Department Comments

12. Referrals were sent to Town Departments for comments.

13. The Tax Assessor, in comments dated 4/29/24, described:

“From purely an assessment standpoint, the improvements to the Inn at Longshore will most likely generate additional tax revenue from personal property for new equipment and leasehold improvements. I think the more important issue is that Longshore is a Town amenity that is one of the reasons Westport is so attractive to existing and new residents and businesses and contributes to the vibrancy of this community.”

14. The Parks and Recreation Director in comments dated 3/29/24 identified Longshore Hospitality LLC should connect with her department before commencement of any work. Construction staging should be coordinated so as not to conflict with the needs of Park users and surrounding residents who are reliant upon the Park’s internal access road Julien Brodie Drive.

15. The Conservation Director in comments dated 3/29/24 identified the Improvement Project is located within the Waterway Protection Line Ordinance (WPLO) jurisdiction, and the applicant should secure an Administrative WPLO Approval prior to issuance of a Zoning Permit. The Director also offered the following recommendations for the Planning and Zoning Commission’s consideration:

- A. The applicant should locate the WPL on the proposed conditions plans;
 - B. The applicant should be responsible for the hiring of a 3rd part site monitor who would provide weekly or monthly reports during major construction activities noting areas of concern, erosion, or required maintenance of sediment and erosion controls.
15. Planning and Zoning Staff in comments dated 4/29/24 described §22a-105 of the Connecticut General Statutes requires the Planning and Zoning Commission determine whether the Municipal Improvement is consistent with the Coastal Area Management (CAM) Act due to the property's location within the Coastal Boundary established by the State of Connecticut.
16. The staff comments also described the applicant submitted a Coastal Application, a Site Development Plan, as well as a drainage report.
- The drainage report describes runoff from the proposed terrace and patio additions will be captured by system of downspouts, channel drains, and collection piping and directed to a proposed underground detention system.
 - The plan identifies Water Quality Volume (WQV) will be retained in the proposed subsurface drainage from the proposed improvements.
 - Additionally, the applicant agreed to submit a landscape plan showing salt-tolerant plants will be installed to filter any pollutants from the lawn adjacent to the water's edge in the Inn's proximity, before reaching the coastal resources which will help mitigate any potential impacts to coastal resources.
17. The staff comments conclude by recommending the Commission find the project consistent with the CAM Act with the recommendation a landscape plan be submitted when the Site Plan application is filed, to mitigate potential adverse impacts to coastal resources, as agreed to by the applicant.

Findings

18. The Planning and Zoning Commission finds the Inn at Longshore has long served residents and visitors.
19. The Commission also finds the *2017 Plan of Conservation and Development (POCD)* recognizes the value of the Inn at Longshore and recommends maintaining existing facilities and making efficient use of existing sites. The application is consistent with the POCD goals.
20. Completion of the Improvement Project has many benefits including but not limited to:
 - a. Enhancing the value of a Town asset that the Town will continue to own.
 - b. Bringing the Inn into ADA compliance; and
 - c. Bringing the Inn into compliance with the CT Fire Safety and Prevention Code.
21. Additionally, the Commission finds the Improvement Project is consistent with the goals and policies of the CAM act with the drainage improvements proposed, and landscaping mitigation planned.
22. As described by the applicant at the 5/6/24 Public Meeting, the plans are likely to be revised prior to submission to the Planning and Zoning Commission of the requisite Site Plan application to address comments expressed at the 4/23/24 meeting of the Architectural Review Board.

Meeting Process

23. Neighboring property owners within 250-feet of the subject site, were notified of the application, with a notice letter sent in envelopes marked "Urgent Notice Letter," with receipt evidenced by a Certificate of Mailing.
24. Consistent with State law, a remote public meeting of the Planning and Zoning Commission was held. The meeting was live streamed on the Town's website.

NOW THEREFORE BE IT RESOLVED that a **POSITIVE REPORT** is issued for **260 Compo Road South**: Appl. #PZ-24-00199, requesting a report from the Planning and Zoning Commission, submitted pursuant to CGS §8-24, Municipal Improvement, as well as a finding of consistency with the Coastal Area Management policies of the State of Connecticut, as submitted by Peter Romano of LANDTECH for Longshore Hospitality, LLC, on behalf of the First Selectwoman, for Substantial Improvement to a Town-owned building, Inn at Longshore, including interior and exterior renovations. The property is in the Residence AA/AAA districts, PID #C04001000.

Recommendations

1. A site plan should be submitted to confirm compliance with all applicable zoning regulations prior to seeking a Zoning Permit, as agreed to by the applicant.
2. Prior to submission of the Site Plan application the Commission recommends the architectural plans be modified to:
 - A. Provide for a design that brings the outside in; and
 - B. Adds more glass and allow for more natural light.
3. The Commission recommends, and the applicant agreed, as part of the Site Plan submission, to:
 - A. Provide information to the Planning and Zoning Department that may be shared with members of the public identifying whom to contact and their mobile number to address noise complaints resulting from an event at the facility.
 - B. Provide a Site Plan overlay to better illustrate the changes between existing and proposed conditions.
 - C. Confirm the proposed conditions encompass all required improvements listed as part of the "Improvement Project" in the current lease.

- D. Consider instituting a noise curfew and/or adding soundproofing when renovating the Inn to mitigate noise impacts to residents who live within, adjacent to, and across from Longshore Club Park.
 - E. Submit a landscape demonstrating how water quality of stormwater runoff will be enhanced to mitigate potential adverse impacts to coastal resources, as agreed to by the applicant.
 - F. Submit Administrative Approval from the Conservation Department for work within the Waterway Protection Line Ordinance (WPLO) jurisdiction should be submitted prior to submitting a Site Plan application and the boundaries of the WPLO should be added to the Site Development Plan.
 - G. Submit a construction sequencing plan showing how construction staging will occur so as not to conflict with the Parks and Recreation Department's needs and those of users of Longshore Club Park.
4. The Commission recommends after the Site Plan is approved, if approved, the applicant should hire an independent site monitor to provide reports noting any areas of concern during major construction activities as recommended by the Conservation Director.
 5. The Commission further recommends the Town should assign responsibility to an appropriate staff member, such as the DPW Maintenance Supervisor, to confirm the applicant's compliance with the lease terms when work is completed if approved.

VOTE:

AYES	-7-	{Cohn, Cammeyer, Zucaro, Calise, Bolton, Wistreich, Injeski}
NAYS	-0-	
ABSTENTIONS	-0-	

Very truly yours,



Neil Cohn,
Vice Chairman, Planning & Zoning Commission

- cc: Jim Randel, Esq., Randel Law Office, LLC
Douglas LoMonte, Esq., Berchem Moses P.C.
Ira Bloom, Town Attorney, Berchem Moses P.C.
Terry Dunn, Fire Marshal
Mark Cooper, Aspetuck Health District Director
Rick Guinta, Acting Parks and Recreation Director
Foti Koskinas, Westport Police Chief
Alan D'Amura, Staff Corporal, Westport Police Dept.
Jeff Wieser, RTM Moderator
Matt Mandell, Chairman, RTM P&Z Committee



WESTPORT

**Town of Westport
Planning & Zoning Commission**

Town Hall, 110 Myrtle Avenue, Room 203, Westport, CT 06880
Telephone (203) 341-1030 | Fax: (203) 454-6145
pandz@westportct.gov | www.westportct.gov

Meeting: May 6, 2024
Decision: May 6, 2024

May 7, 2024

Andy Soumelidis
LANDTECH
518 Riverside Avenue
Westport, CT 06880

RE: 7 Winker Lane, Special Permit/Site Plan Appl. #PZ-24-00072 for Excavation & Fill

Dear Andy Soumelidis:

This is to certify that at a meeting of the Westport Planning and Zoning Commission held on May 6, 2024, it was moved by Ms. Zucaro and seconded by Mr. Bolton to adopt the following resolution:

RESOLUTION #PZ-24-00072

WHEREAS, THE PLANNING AND ZONING COMMISSION met on May 6, 2024, and made the following findings:

FINDINGS

Property Description/Background

1. 7 Winker Lane is a 1.19-acre lot located in the Res AAA (2.0-acre) zoning district. The lot remained vacant until Zoning Permit #ZN-23-00285 for a new house was issued on June 12, 2023, and Zoning Permit #ZN-23-00673 was issued for an inground swimming pool on December 5, 2023. Construction for the house and pool is ongoing.
2. There are 11,631 SF of steep slopes and no wetlands located on site and the property is serviced by a private sewage disposal system (septic). The property is outside the 100-year flood zone, the Waterway Protection Line Ordinance jurisdiction, and the Coastal Area Management boundary.

Proposal

3. The applicant is requesting approval for grading beyond the 25-foot exemption limit in the rear of the property to create a larger level area.
4. Excavation and Fill activities are permitted. Certain activities are exempt from Excavation and Fill Permit review when associated with other proposed activities as listed in §32-8.1. The regrading activities performed herein are not covered by the exemptions listed in §32-8.1. All Excavation and Fill activities, even those exempt from review, must conform to the standards listed in §32-8.3.
5. The regrading may not exceed a five (5) horizontal to one (1) vertical (20%) slope unless approved by the Town Engineer per §32-8.3.2. In addition, the regulations state that there shall not be any grading or slope changes within five (5) feet of any lot line. The proposed work does not result in any manmade slopes more than 20%, nor does it include grading within five (5) feet of the property line.
6. Excessive excavation or fill is not permitted. Excessive excavation or fill is defined as an amount greater than that required to raise a parcel ten (10) feet above or below the existing natural grades over an area equal to 50% of the allowable Total Coverage in the respective zones per §32-8.2.1. The proposed activity will not represent excessive fill. A total of 2,393 cubic yards is allowed; a total of 1,650 cy is proposed (1,200 cy cut, 450 cy fill).
7. §32-8.2.3 states that no portion of any lot shall be filled or excavated to a height or depth greater than ten (10) feet above or below the existing grade. The proposal complies with this regulation as the maximum height change is approximately 1 foot.
8. A Restoration Plan is required per §32-8.4 showing the final grading and landscaping and indicating how the site will be restored after the excavation and fill activities have been completed. As described under the General Erosion and Sediment Control Notes on the Notes and Details page prepared by LANDTECH revised 1/29/24, "Land disturbance shall be kept to a minimum; restabilization will be scheduled as soon as possible."

Department Comments

9. The Conservation Department issued permits #AA-WPLE-11732-23 for the house and permit #AA-WPLE-11851-23 for the pool. Comments received by the Conservation Director dated 2/21/24 state no issues with the proposed grading. If approved, the applicant shall submit the revised site plan to the Conservation Department.
10. Comments from Edward Gill, PE, dated 2/13/24 state the grading and sediment and erosion control all substantially complies with the Town of Westport Zoning Regulations.
11. The Aspetuck Health District issued approvals for the house on 5/3/23, the pool on 11/8/23, and the grading, pool relocation, patio, and retaining wall on 3/13/24.

Public Hearing

12. A public hearing was held and testimony was received on May 6, 2024.
13. The public hearing was 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.
14. The Planning and Zoning Commission finds this application complies with the standards found in §32-8, Excavation and Filling of Land, and the general standards applicable to Special Permits and Site Plans, set forth in §44-6 and §44-5.
15. The Planning and Zoning Commission found it appropriate to recommend the applicant consider planting new evergreen trees in the rear of the lot abutting 6 Manor Drive for screening.

NOW THEREFORE, BE IT RESOLVED that **7 Winker Lane**, Special Permit/Site Plan Appl. #PZ-24-00072 submitted by Andy Soumelidis, LANDTECH, for property owned by SIR-7 WINKER LLC, to permit non-exempt excavation and fill, for a property in Residence AAA District, PID #B14062000 is **GRANTED WITH CONDITIONS** subject to the following modifications:

Modifications

1. The existing trees along the perimeter of 7 Winker Lane are to remain as agreed to by the applicant.
2. Conformance to the Illustrative Plan Showing Exempted Grading prepared by LANDTECH dated 1/29/24.
3. Conformance to the Site Development Plan prepared by LANDTECH revised 1/29/24 (3 pages) to be further revised showing the existing trees along the perimeter of the lot.
4. Conformance to the Town Engineer's comments dated 2/13/24.
5. Conformance to the Conservation Department Comments dated 2/21/24 which requires a revised permit to include the most recently approved Site Plan.
6. Conformance to the Aspetuck Heald District approval for the pool on 11/8/23 and the patio and retaining wall on 3/13/24.
7. 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.
8. 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.
9. Prior to the issuance of a Zoning Permit for this work, the applicant shall submit and obtain the following:
 - A. Proof of filing the Resolution on the Land Records.
 - B. Submit a revised Site Plan pursuant to Modification #3.
 - C. Obtain approval from the Engineering Department.
 - D. Obtain approval from the Conservation Department pursuant to Modification #5.

10. The replacement and/or repair of a stone wall greater than four (4) feet in height shall require the issuance of a building permit.
11. All new utilities shall be placed underground.
12. Prior to the issuance of the Zoning Certificate of Compliance, the applicant shall submit a Certified "As-Built" survey stamped by a registered Engineer or Surveyor.
13. This application is granted upon the condition that all construction and site improvements shall be in strict 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.
14. All work approved pursuant to this Site Plan shall be completed within 5 years of date of approval, by May 6, 2029.
15. 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 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.

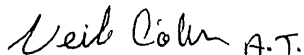
REASONS:

The application as modified is found to be in conformance with all applicable zoning regulations, and no adverse impacts to coastal resources should result with the mitigation implemented as required.

VOTE:

AYES	-7-	Cohn; Cammeyer; Zucaro; Calise; Wistreich; Bolton; Injeski
NAYS	-0-	
ABSTENTIONS	-0-	

Very truly yours,



Neil Cohn
 Vice Chairman, Planning & Zoning Commission

cc: Edward Gill, Town Engineer
 Colin Kelly, Conservation Director
 Mark Cooper, Director of Health