



FW: follow up on 222 Hillspoint zoning enforcement and submitted violation forms -222 Hillspoint Rd #ZBA-24-00496 - APPEAL

From evandors@optonline.net <evandors@optonline.net>

Date Tue 9/24/2024 11:59 AM

To Young, Mary <maryyoung@westportct.gov>; Zoning Board of Appeals <ZBA@westportct.gov>; Planning and Zoning <PANDZ@westportct.gov>

Cc Perillie, Michelle <mperillie@westportct.gov>

 2 attachments (6 KB)

Outlook-nm4qquc3.dat; Outlook-dfw2sa4i.dat;

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Hello Mary,

For tonight's hearing please include my follow up inquiries to you below, dated Sept 17th and Sept 23rd, asking about the status of the three zoning violation forms filed in your offices this past June, early July about this property by three neighbors.

In your staff report for this ZBA hearing you state that these zoning violations should not be a part of this ZBA hearing. Yet, the zoning violations are filed because the 2001 ZBA variance for 222 Hillspoint ; a variance with conditions, cite those conditions are not being met.

It would seem that the complaint forms should be part of the staff report and available to the commissioners at this ZBA hearing.

I ask that the violations be included for the hearing along with my communications request below and entered into the permanent ZBA and Planning & Zoning record for this location.

Regards,

Ellen van Dorsten

From: evandors@optonline.net <evandors@optonline.net>

Sent: Monday, September 23, 2024 9:49 AM

To: 'Young, Mary' <maryyoung@westportct.gov>

Subject: FW: follow up on 222 Hillspoint zoning enforcement and submitted violation forms

Hello Mary,

Can you please reply to my inquiry below? The questions will most likely be raised again at this Tuesday's ZBA appeal hearing.

It would be helpful to have a response to these questions prior to the meeting.

Thank you for your help on this matter.

Regards

Ellen van Dorsten

From: evandors@optonline.net <evandors@optonline.net>

Sent: Tuesday, September 17, 2024 5:42 PM

To: 'Young, Mary' <maryyoung@westportct.gov>; 'Trianovich, Amanda' <atrianovich@westportct.gov>

Subject: follow up on 222 Hillspoint zoning enforcement and submitted violation forms

Hello Mary

I hope this note finds you well as we near the end of summer.

About two months ago I stopped into P&Z offices to submit a zoning violation form regarding activity at 222 Hillspoint Rd. I have not received any response about any actions taken by your department to address the violations. Amongst the many violations are tables in setbacks, tarps installed at eight feet high in setback, lighting in setback, etc . I have not seen evidence of any enforcement. Can you please let me know the status and what enforcement action has been taken in response to the violations?

When I visited the P&Z offices two months ago, I also noted there were two additional zoning violations from other immediate neighbors for 222 Hillspoint Rd in the P&Z files. The violation forms referenced some of the same violations such as tables, but they also brought attention to the parking problems and additional issues.

In your email to me below you note that this location does not have approval for outdoor dining. This was also stated clearly in your staff report about this address; issued to the P&Z Commission back in June. Near thirty outdoor seats exist at this location, many in the setbacks . According to the Town regulations , outdoor dining is not approved in residential zones. This is a residential zone.

What enforcement and follow up by your department or the P&Z Commission has taken place at 222 Hillspoint to assure compliance with the town's regulations which prohibit outdoor dining? Why hasn't a cease and desist been issued for the violations that have been on the record for two months?

I would appreciate knowing how your department has addressed each of the above issues. Thank you for your help on this matter.

Best regards,

Ellen van Dorsten
216 Hillspoint Rd
Westport CT.
203 221 7131 h
914 441 8390 c

From: Young, Mary <maryyoung@westportct.gov>
Sent: Thursday, May 30, 2024 6:35 PM
To: evandors@optonline.net
Subject: Re: question regarding 222 Hillspoint

Hi Ellen,

Please be more specific regarding what ZBA approval you are referencing.

No formal complaints have been received requiring outdoor dining therefore there has been no enforcement.

Enforcement proceedings commenced in response to a complaint received regarding the gelato cart that was temporarily authorized pursuant to an Outdoor Special Events permit issued last Friday that has since expired.

As you'll recall, I raised the question in my staff report suggesting the applicant and/or the Commission address the question of Outdoor Dining in this or any residential district that is currently prohibited by the standards adopted in 32-20.

Q: Did you locate the Kathy Barnard note you referenced at the public hearing addressing picnic tables at 222 Hillspoint?

It's like herding cats....half a dozen emails sent with few RSVP's received from Commissioners confirming their attendance. I always target 7 to sit; but can't guarantee there will be 7.

FYI: Should the hearing close the Commission has up to 65 days to render a decision and "missing" members can review the video of the proceedings and then participate during a future Work Session once they confirm they are up to speed should the Commission decide not to vote after closing.

Hope this answers your questions.

Mary

Mary Young

Planning and Zoning Director

(203) 341-1078



From: evandors@optonline.net <evandors@optonline.net>
Sent: Thursday, May 30, 2024 4:13 PM
To: Young, Mary <maryyoung@westportct.gov>
Subject: question regarding 222 Hillspoint

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Hello Mary

Can you please confirm the following; if text amendment #843 passes , what is the status of the ZBA resolution from 2001?

If the amendment passes, what is the status of the outdoor dining at that location (which you indicated in a previous email) they do not have approval for?

Which P&Z commissioners will be in attendance at the hearing on Monday ?

Thank you.

Regards.

Ellen van Dorsten