

From: [Robin Tauck](#)
To: [Perillie, Michelle](#); [Trianovich, Amanda](#); [Planning and Zoning](#)
Subject: Letter for P&Z Commission, NOV 4
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Attachments: [Letter to P&Z - R Tauck 11-01-2024.docx](#)

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Dear P&Z Office,

Please post this letter with Photo for the P&Z hearing Monday 11/4 regarding Text Amendment 846.

If any questions feel free to reach me at 203-919-2000.

Have a nice weekend and thank you.

Robin

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November 1, 2024

Planning & Zoning Commission
Town of Westport
Town Hall – 110 Myrtle Avenue
Westport, CT 06880

RE: Text Amendment 846

SUBJECT: Aggrieved Abutting Neighborhood / NO on Text Amendment #846

Ladies and Gentlemen:

As a Westport resident for 40 years, an Old Mill (Old Mill Store) neighbor for 21 years, and an owner of two statutorily aggrieved LLCs owning two properties located within less than 100 feet of the Old Mill Deli/Store including one where I live, I am entirely opposed to the adoption of Text Amendment #846.

The approval of outdoor seating as a new, non-conforming accessory use for existing non-conforming commercial operations in residence zones proposed for at least three locations in Westport violates the spirit and intent of residential zoning regulations and the powers and duties of a planning and zoning commission in the State of Connecticut.

A legally well-established purpose of zoning is to do away with non-conforming uses as soon as reasonably possible, not to create new ones by specifically adopting regulations that sanction otherwise prohibited expansions of non-conforming uses.

Permitting outdoor seating on a tiny lot in a “B” residence zone where minimum lot sizes are a mere 6,000 square feet in an exceptionally densely developed beachfront community with roads too narrow to provide on-street parking, defies logic and reason in addition to 100 years of prudent professional planning practices.

It is incomprehensible that the very elected officials charged with stabilizing and protecting property values need to be made aware of the impact of outdoor patron seating for food service located within regulated setbacks and without the requirement of parking, adequate screening, or appropriate distance from surrounding residences.

How can Commission members visit the site without anticipating the noise, illumination, and loud impact of an outside expanded commercial use on local single-family homes?

Why is the Commission intent on extending and expanding the non-conforming use absent any consideration of the doctrine of clean hands when the P&Z Department files are rife with a history of complaints and evidence of continuing and unresolved zoning violations?

During past 30 years, there was either no, or very limited, outdoor seating at the Old Mill Deli/Store except for the “Covid Exception” from a neighbor perspective. And the economic stability of the owners was fine. There were many long years of ownership that preserved the historic use as a Store/Deli without ever depending on outdoor seating.

Since 2022 the “use”, “type of foods”, “service to dining customers”, “17 seats inside and 30 seats outside” has expanded tremendously and dramatically. From The Granola Bar to now Romanacci’s, they have maintained a lovely historic place setting on the Corner, yet both profit Co’s have made a noisy “din” of people outside, as never before experienced.

The noisy gatherings often begin at 8:30am and go to 8pm and beyond, with photos showing 9:40 PM string-lights over tables in setbacks – noise and lights into our homes.

It occurs regularly during an average week – way into November. Now, events will be served: *An Evening in Rome with Wine Pairings*. Is a 2024 “Evening” a Dinner Event?

My neighbors and I experience the intrusions below and more vs. our quiet enjoyment of our homes. Noise and lights filter into our bedrooms and living rooms. People stare at me.

- Groups of patrons dining outside, laughing and carrying on loud conversations.
- Large groups gather from early morning greetings and outdoor eating; until well into the night on Saturdays and Sundays.
- Employees shouting orders from an unapproved exterior service window morning, noon, and night to patrons waiting outside along the entire length of sidewalk a little more than a car length from my yard. Mgr reply? “*No Noise ordinance in Westport*”
- Purported “plastic glass of beer with a pizza” at P&Z hearings – is now Evening Events to 9pm or later, with Wine Pairings from Romanacci’s Wine Bottles (which will be for sale, served on premise). This is an (new) Large Placard on the Sidewalk.

For all of these reasons and more, I urge the Planning & Zoning Commission to deny the proposed somewhat obvious - singularly-focused, amendment and uphold your duty to the whole community of Westport instead of upsetting the whole history of zoning in Connecticut for one property owner as good planners should! This Store/Deli property should be exempt, for now, from a broad and far reaching amendment without much more due diligence and an understanding of non conforming expanded use; and neighbor issues.

Please apply the fundamental principles of zoning regulations. Take more time...for right course for proper Sec 8-8 aggrieved parties; and public impact vs. economic benefits.

Robin Tauck

Photo Attach: *P&Z has several photos of large groups eating in setbacks 2022-24*

