

Memorandum

To: Members, Planning and Zoning Commission

From: Amanda Trianovich, Deputy Director

Date: November 18, 2024

Re: 70 North Avenue, aka 134 Cross Hwy. Wakeman Town Farm, Special Permit/Site Plan Appl. #PZ-24-00636

Statutory Timelines

Application Submission Date: 10/30/24

Application Receipt Date: 11/4/24

65 Days from Date of Receipt (When public hearing must be opened): 1/8/25

Public Hearing Scheduled to Open: 12/2/24

Summary

Have all the documents been submitted by the applicant as required in accordance with §44?	Yes.
Were any waivers to submit documents requested by the applicant and granted by the Planning Director in accordance with §44-4?	Yes. The applicant received a Waiver of the requirement to provide an A-2 boundary survey of the entire 102-acre site. They have instead, provided an A-2 survey of the 2-acres that make-up Wakeman Town Farm.
Were any variances requested from the Zoning Board of Appeals in accordance with §46 or any waivers requested from the Planning and Zoning Commission in accordance with §44-5?	Yes. The applicant received Variance approval for Total Coverage by the Zoning Board of Appeals on October 29, 2024.
Does the application appear to meet all applicable zoning requirements? If not, indicate why not.	Yes.
Has the applicant received all necessary prior approvals pursuant to §44-2.1?	Yes. A positive §8-24, Municipal Improvement Appl. #PZ-24-00356 report was issued to the First Selectwoman on July 15, 2024. Historic District Commission issued a Certificate of Appropriateness on August 13, 2024. Aspetuck Health District Permit #HLTH-2024-00264 was issued on September 3, 2024. Conservation Permit #AA-WPLE-11975-24 was issued on September 6, 2024. Variance Appl. #ZBA-24-00531 was granted for Total Coverage for the barn addition on October 29, 2024.

Other comments?	The Planning and Zoning Commission should confirm staff's conclusion that the application conforms to the Res. AAA standards in §11, the Site Plan Standards and Objectives listed in §44-5, the Special Permit standards listed in §44-6, and whether it is in accordance with the 2017 <i>POCD</i> .
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Description of Application

Owner/Applicant	Town of Westport, owner & LANDTECH, applicant
Requested Action	Special Permit/Site Plan approval
Purpose	Reconstruction and expansion of the Wakeman Town Farm barn.
Existing Zoning	Res. AAA
Location	Wakeman Town Farm sits on a 2.2-acre portion of the larger 100+-acre Town-owned property at 70-88 North Avenue (Staples High School/Bedford Middle School).
Lot Size	102.33-acres (4,457,495 SF)
Existing Land Use	Non-profit Wakeman Town Farm, Staples High School, Bedford Middle School, and multi-purpose athletic fields.
Surrounding Land Use and Zoning	Single-family residential, Res. AAA and Res. AA
<i>2017 Town Plan of Conservation and Development</i>	<p>Chapter 14, (<i>Address Community Facility Needs</i>) Goal states, "Provide for community facilities to meet the needs of Westport residents." Pg 111</p> <p>Wakeman Town Farm is included in the list of Community Facilities. Pg. 112</p> <p>Wakeman Town Farm is depicted as a "Park or Recreation Use," on the Community Facilities Map. Pg. 113</p> <p>Chapter 14, (<i>Maintain Existing Facilities</i>) states, "The <i>POCD</i> recommends that the Town maintain buildings and facilities in a cost effective way and in the best condition possible." Pg. 114</p> <p>Chapter 14, (<i>Make Efficient Use of Existing Sites</i>) states, "The Town will need to make effective use of the sites it has and it may make sense to encourage or allow intensification of facilities on existing sites to meet future needs." Pg. 115</p>
Zoning History	Wakeman Town Farm Zoning History can be viewed here .
Applicable Regulations	§11, Res. AAA; §43/§44, Special Permit and/or Site Plan Procedures/Documents

Property Description/History

70 North Avenue is Town-owned property in the Residence AAA zone and is the location of non-profit Wakeman Town Farm (134 Cross Hwy) Sustainability Center that operates from the John S. Wakeman historic 1908 farmhouse. Wakeman Town Farm is a 2.2-acre portion of the larger 100+-acre Town-owned property (Staples High School/Bedford Middle School). 134 Cross Highway is a Local Historic Property. There are multiple structures on site including the Farmhouse, the Barn, the Goat House, the Greenhouse, and Chicken Coops.

Wakeman Town Farm was previously leased to the Green Village Initiative, but the lease was terminated in 2011. The Farm has been run by a [committee](#) appointed by the First Selectwoman, under the purview of the Parks and Recreation Department, since 2011. The P&Z Commission identified in a prior resolution of approval the Wakeman Town Farm is a “Community Cultural [Special Permit] use,” allowed pursuant to [§11-2.2.7](#). For more information, see the [Zoning History](#) updated 11/13/24.

The Wakeman Town Farm [website](#) describes the Farm’s Mission is to serve as a model facility to educate the community with local healthy food production, responsible land stewardship, sustainable practices and community service orientation. Youth and Adult programs are offered. “Tim’s Kitchen” is advertised as an event rental. A summer cooking camp operates daily during the Summer, and a farmstand operates on Saturday mornings during the Summer.

Proposal

As described in the applicant’s [Project Narrative](#), the project includes the renovation, reconstruction, and expansion of the Wakeman Town Farm barn. Additional site improvements include a new septic system to support a restroom and service sink within the barn.

The purpose for the renovations/addition to the barn are to support:

Pantry - A dedicated pantry will enable proper storage of produce and other food items for educational use, community programs, and farm operations.

Seed Room - The creation of a seed room will support the farm’s focus on sustainable agriculture, providing a space for seed saving, sorting, and activities that will be incorporated into educational workshops.

Activity Room - This flexible, multi-use activity room will allow for a variety of programming, including workshops, classes, and group activities, serving both students and community groups.

Storage - Additional storage space will accommodate essential tools, supplies, and equipment needed for farm operations and educational activities.

Bathroom - The inclusion of a bathroom will improve accessibility for visitors and staff, making the barn a more accommodating and functional space for all.

The application proposes to utilize the existing 20 parking spaces adjacent to the barn for visitors and staff. These parking spaces are located next to the barn and along Wakeman Farm Drive.

There is no new landscaping or lighting proposed. As stated by the applicant, *“Once construction is complete, the existing landscaping will be restored, with no additional lighting planned beyond standard building-mounted fixtures.”*

The scope of the renovation includes demolition, down to the foundation, of the rightwing and the partial demolition of the leftwing.

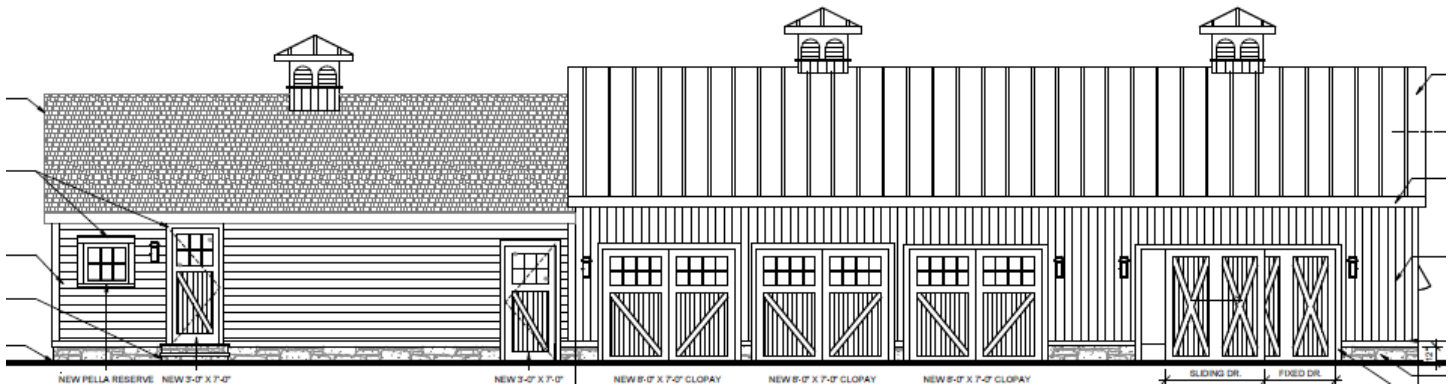
Leftwing



Rightwing



Below is the proposed front elevation as depicted on the [Architectural Plans](#) prepared by Philip H. Cerrone III last revised 7/29/24.



Analysis/Considerations

The Planning and Zoning Commission issued a positive §8-24, Municipal Improvement report for the barn renovations to the First Selectwoman during a public hearing held on July 15, 2024. During the hearing the Commission made two findings:

1. The proposed retail store referenced in the applicant’s Project Narrative is an allowable Accessory use, analogous to a museum shop. Museums, like a “Community Cultural Use,” are allowed in residential districts pursuant to §11-2.2.7.
2. Tim’s Kitchen may continue to be offered for rent for individual or group special events but shall not be rented to “commercial for-profit entities”.

The Wakeman Town Farm barn is designated as a Principal Building, directly contributing to the primary function and use of the property. The proposed barn is conforming to Setbacks, Stories, Height, and Building Coverage as outlined in [§11, Residence AAA District](#). A Total Coverage Variance was obtained October 29, 2024, for the 100 SF addition to the barn.

The renovations received Historic District Commission (HDC) approval on August 13, 2024. Architectural Review Board deferred its comments to HDC.

The applicant is seeking approval to apply an "Other Use" parking standard in the absence of a parking standard for Community Cultural Uses listed in [§34-5, Parking Requirements](#), contained in the Zoning Regulations. §34-5 authorizes the Planning and Zoning Commission to establish a parking standard for "any use not included in this section," known as an "Other Use," subject to Special Permit/Site Plan approval.

Previously, the Commission appointed 7 parking spaces to the classroom located within the Farmhouse and 2 parking spaces for the residential use, this leaves a balance of 11 spaces to support the renovation and expansion of the barn. If the Planning and Zoning Commission requires additional parking spaces to be constructed, the applicant will have to see a Total Coverage Variance from the Zoning Board of Appeals.

There is no new landscaping or lighting proposed. As stated by the applicant, "*Once construction is complete, the existing landscaping will be restored, with no additional lighting planned beyond standard building-mounted fixtures.*"

For developed sites involving building expansion, structural changes, and a new use, the minimum landscape requirements must be met without creating new non-conformities. It is recommended that all exterior lighting be designed to be dark sky compliant, minimizing light pollution and glare to protect the surrounding environment and residences, while ensuring safety and preserving nighttime visibility.

Standards for Review

The Planning and Zoning Commission may approve, approve with modifications, or deny the application. Reasons must be provided. §44-5 lists the Site Plan Standards and Objectives the Planning and Zoning Commission should consider in reviewing the application, including:

- §44-5.1, *Public Safety*;
- §44-5.2, *Traffic and Pedestrian Access*;
- §44-5.3, *Circulation and Parking*;
- §44-5.4, *Landscaping and Screening*;
- §44-5.5, *Lighting and Noise*;
- §44-5.6, *Public Health*; and
- §44-5.7, *Function and Appearance*.

§44-6 lists the Special Permit Standards the Commission should consider:

“In reviewing a Special Permit application or an application for a change in a Special Permit use, the Commission shall consider all the standards contained in §44-5, Site Plan Standards and Objectives, herein, and shall take into consideration the public health, safety and general welfare and may prescribe reasonable conditions and appropriate safeguards to assure the accomplishment of such standards and objectives. In granting any Special Permit, including any change in a Special Permit Use, the Commission shall determine that the proposed use conforms to the overall intent of these regulations and shall consider each case whether the proposed use will:

- 1. Be in conformance with the Plan of Conservation and Development;*
- 2. Not prevent or inhibit the orderly growth and development of the area;*
- 3. Not have a significant adverse effect on adjacent areas located within the close proximity to the use;*
- 4. Not interfere with pedestrian circulation;*
- 5. Not have a significant adverse effect on safety in the streets nor unreasonably increase traffic congestion in the area, nor interfere with the pattern of highway circulation;*
- 6. Not have a significant adverse effect on historical, archeological and/or paleontological sites;*
- 7. Preserve important open space and other features of the natural environment related to the public health, safety and welfare;*
- 8. Not obstruct significant views which are important elements in maintaining the scenic resources of the Town or neighborhood for the purpose of promoting the general welfare and conserving the value of buildings;*
- 9. Not have a significant adverse effect on storm drainage, sewage disposal or other municipal facilities;*
- 10. Be in scale with and compatible with surrounding uses, buildings, streets and open spaces.”*

Public Hearing and Notice to the Public

The application will be reviewed at a remote public hearing of the Planning and Zoning Commission. The Town of Westport provides access to public hearings in real-time, by live stream on the Town’s website, and by broadcast television on Optimum Govt. Access Channel 79. Additionally, anyone can join the remote meeting by accessing the meeting link published on the agenda prior to the meeting. Meeting agendas are available at www.westportct.gov on the [“Meeting List and Calendar”](#) web page. Additionally, an email address is listed on the notice and agenda to receive public comments prior to the meeting at PandZ@westportct.gov and interested parties may “join” the meeting and offer live testimony during the meeting as the Zoom meeting link is published on the meeting agenda in advance of the meeting.

The applicant submitted a Certificate of Mailing as proof that neighbors within a 250’ radius of the subject property were notified upon application submission, in accordance with §44-1.2.

Conclusion

The application appears to comply with all applicable zoning standards and is consistent with the following goals contained in Chapters 14, *Address Community Facility Needs* of the 2017 *Plan of Conservation and Development*.

“Provide for community facilities to meet the needs of Westport residents.” Pg 111

“The POCD recommends that the Town maintain buildings and facilities in a cost effective way and in the best condition possible.” Pg. 114

“The Town will need to make effective use of the sites it has and it may make sense to encourage or allow intensification of facilities on existing sites to meet future needs.” Pg. 115

Prior to issuance of a Zoning Permit, assuming the application is approved, the applicant should:

1. Proof of filing the Resolution on the Land Records.
2. Obtain final Town Engineering approval.
3. Obtain final Aspetuck Health District approval for the addition.

Department Comments

Engineering Department:	Town Engineer, Edward Gill, PE submitted comments dated 11/13/24 stating the drainage, grading, and sedimentation and erosion controls all substantially complies with town standards. Mr. Gill also stated that there is a sidewalk and apron construction project underway along the frontage of Wakeman Town Farm. If the proposed activity impacts the new sidewalk or apron provided, the applicant shall repair the sidewalk and apron per Public Works Dept. requirements.
Aspetuck Health District:	Mark Cooper, Director of Health submitted comments dated 11/6/24 stating, <i>“Site plans for the Barn and main house septic system alteration has been approved by the Health District, although no permit to actually construct has been issued yet. With the approved site plan showing the proposed work, the Health District is ok with the existing grill and pizza oven as is. No additional review will be needed unless Wakeman Town Farm changes their proposal.”</i>
Conservation Department:	The Conservation Department issued an Administrative Approval for this project on 9/6/24, as Permit #AA-WPLE-11975-24.
Historic District Commission:	Donna Douglass, HDC Coordinator submitted comments dated 11/12/24 stating, <i>“The HDC reviewed the application for the Wakeman Town Farm barn renovations and approved a certificate of appropriateness on August 14, 2024 and ARB has deferred its comments to HDC.”</i>
Town Attorney:	<i>“No comments.”</i>
Westport Police Dept.:	<i>“No comments.”</i>
Building Dept.:	Peter Howard, Building Official submitted comments dated 11/6/24 stating, <i>“...the project will meet the Building Code.”</i>

A formal field trip is NOT scheduled but Commission members are encouraged to visit the site individually to obtain site orientation.

Available in the File and Online on the Town's website [here](#):

- Updated Project Narrative 11.6.24
- Waiver
- Existing Survey 5.02.24
- Drainage Report
- Site Plan rev 11-8-24
- Architectural Plans 8.6.24
- Engineering Comments 2024-11-13
- HDC Comments, 11-12-24 and HDC Approval
- Town Attorney Comments, 11-11-24
- WPD Comments, 11-8-24
- Building Department Comments, 11-6-24
- Aspetuck Health District Comments, 11-6-24 and Health Approval
- Conservation Approval
- Positive 8-24 Report, 134 Cross Highway, 7-16-24
- ZBA-24-00531- 70 North Ave- Granted
- Wakeman Town Farm History Revised 11-13-24