



Town of Westport

Planning and Zoning Commission

Town Hall, 110 Myrtle Avenue Westport, CT 06880

Tel: 203-341-1030 Fax: 203-454-6145

www.westportct.gov

Hearing: October 8, 2020

Decision: _____

DRAFT/PRELIMINARY - Affirmative

Date: _____

Melvin H. Barr, Jr
Barr Associates LLC
1427 Chopsey Hill Rd.
Bridgeport, CT 06606

Re: 521 Riverside Avenue, Special Permit/ Coastal Site Plan PZ #20-00217 [Affirmative]

Dear Mr. Barr:

This is to certify that at a meeting of the Westport Planning and Zoning Commission held on _____, it was moved by _____ and seconded by _____ to adopt the following resolution.

RESOLUTION #PZ 20-00217

WHEREAS, THE PLANNING AND ZONING COMMISSION met on _____, and made the following findings as listed in the staff reports dated _____ which are available for review on the Town of Westport website by using [this link](#):

Go to pg. 3 and confirm and/or edit "Findings"

Property Description

- 1. 521 Riverside Avenue is a conforming 1.53-acre lot, located within the Restricted Office - Retail District (RORD) #2 zoning district.*
- 2. The site is currently improved with the Saugatuck Rowing Club which has existed in this location since 1999 (Res. #99-041) and is subject to §43 Special Permit and Site Plan standards and review*

and §31-10.7 which requires a finding of conformance with Coastal Area Management (CAM) Act by the Planning and Zoning Commission.

3. *The property is directly on the Saugatuck River and lies within the Coastal Area Management (CAM) boundary and the Waterway Protection Line Ordinance (WPLO) jurisdiction.*
4. *A majority of the improvements on the site, including the proposed pergola and existing building, are located within the 100-year floodplain, AE El. 10'.*

Proposal

5. *The applicant now comes before the Commission with a Coastal Site Plan and Special Permit application and proposes to:*
 - a. *Remove the portions of the patio that were constructed within the 25' setback line;*
 - b. *Restore the delineation between the Public Waterfront Access from the outdoor patio;*
 - c. *Provide native plantings between the Public Waterfront Access and the Saugatuck River;*
 - d. *Install a 1,364 SF pergola that is 11' high that is not attached to the building and projects out over the patio; and*
 - e. *Expand the width, in some areas, of the Public Waterfront Access pathway..*

Prior Approvals

6. *On March 27, 2018, the applicant appeared before the Architectural Review Board and received a positive recommendation.*
7. *On January 21, 2020 the Zoning Board of Appeals denied variances (ZBA #7767) for retroactive approval of the patio for relief from §31-7 (Setbacks from Waterbodies, Watercourses and Wetlands) and §22.4 (setbacks); as no hardship was shown.*
8. *On July 10, 2020 Comments were received from the Engineering Department that indicate:*
 - a. *The storm water drainage system as depicted on will have little impact on drainage and complies with the Town of Westport Engineering Department Drainage Standards.*
 - b. *The proposed pergola and patio were reviewed at the staff level for the Flood & Erosion Control Board and were approved under permits WPL/E 10582-18 and WPL/E 10809-19.*
 - c. *No new enclosed spaces have been proposed in the Flood zone (AE El. 10).*

9. *The Conservation Department reviewed approved this proposal (WPL/E-109809-19) on August 1, 2019 and the revisions as submitted with this Site Plan and Special Permit application were reviewed and approved on June 16, 2020*
10. *Testimony was received at the _____ public hearing and was held per Executive Order 7B and 7I, authorizing the Commission to hold public meetings via videoconference or other technology.*

Findings

1. The application as modified has been found to be in conformance with all applicable zoning regulations as well as the Site Plan and Special Permit standards listed in §44-5 and §44-6; and
2. The application has been found to be consistent with the 2017 Plan of Conservation and Development in particular Chapter 6 (Manage Coastal Areas) and Chapter 7 (Protect Natural Resources); and
3. The application has found to be consistent with all applicable goals and policies of the Coastal Area Management (CAM) Act and §31-10 Coastal Area Resources.

NOW THEREFORE, BE IT RESOLVED that 521 Riverside Avenue Appl. #PZ-20-00125 submitted by Mel Barr, Barr Associates, LLC for property owned by SRC Realty Group, LLC for a Special Permit and Coastal Site Plan approval for the Saugatuck Rowing Club to for patio modifications with the installation of an accessory shade pergola, new landscaping and to find consistency with the Coastal Area Management Act, located in the RORD #2 zone, PID #B06039000 be **Granted** subject to the modifications listed below:

Go to Page 5 and VOTE

CONDITIONS

1. *Conformance to the Existing Conditions Plan, Class A-2, entitled Saugatuck Rowing Club, LLC, prepared by Dennis A. Delius, last revised 3/6/2020.*
2. *Conformance to the Site Development Plan, prepared by Dennis A. Delius, entitled Saugatuck Rowing Club, LLC last revised 3/9/2020 amended to include:*
 - a. *The specific location of the seasonal storage of the rowing shells, shall be indicated with dimensions on the plan.*

- 10. *All work approved pursuant to this Special Permit and Site Plan application shall be completed within five (5) years of date of approval, by _____.*
- 11. *All new utilities shall be placed underground.*
- 12. *Trees shall not be removed from Town property.*
- 13. *All plantings shall be maintained in a healthy growing condition and all fences and walls shall be maintained in good physical condition throughout the duration of the use. Plants, fences or walls not so maintained shall be replaced with new materials no later than the beginning of the next immediately following growing season.*
- 14. *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.*
- 15. **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.*

VOTE:

AYES	-0-
NAYS	-0-
ABSTENTIONS	-0-

Very truly yours,

Danielle Dobin, Chair

cc: Edward Gill, DPW-Engineering
Colin Kelly, Conservation