

Memorandum

To: Members, Planning and Zoning Commission

From: Michael Tartaglia, Planner

Date: January 23, 2026

Re: 521 Riverside Ave, Special Permit/Site Plan Appl. #PZ-25-00761

Statutory Timelines

Application Submission Date: 12/22/25

Application Receipt Date: 1/5/26

65 Days from Date of Receipt (When public hearing must be opened): 3/11/26

Public Hearing Scheduled to Open: 2/23/26

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?	No.
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. ZBA-25-00572 with CAM granted on 12/9/25 for §22-7 (Building Area), and §22-8.3 (Maximum Floor Size)
Does the application appear to meet all applicable zoning requirements? If not, indicate why not.	Yes, if the P&Z Commission grants joint parking and a parking waiver.
Has the applicant received all necessary prior approvals pursuant to §44-2.1?	ARB approval received 10/28/25 The Conservation department issued comments on January 8, 2026 stating, "This application is eligible for an administrative permit under the Waterway Protection Line Ordinance. The application would be reviewed and most likely approved by our department with standard conditions and requirements for sediment and erosion control."
Other comments?	The Planning and Zoning Commission should: Confirm Planning and Zoning staff's conclusion that the application conforms to the RORD2 standards in §22, the Floodplain standards listed in §31-11, 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 POCD.

Description of Application

Owner/Applicant	Owner: SRC Realty Group, LLC Applicant: Eric Bernheim, FLB Law
Requested Action	Special Permit/Site Plan modification
Purpose	To approve a 354 SF, 2-story addition to the existing restaurant, relocate five (5) a/c units and walkway, and to request a 50% joint parking reduction and waive 2 spaces.
Existing Zoning	Restricted Office-Retail District #2 (RORD2)
Location	The property is located on Riverside Ave. abutting the Saugatuck River to the west, and just north of Bridge St. The property is located within the 100-year flood hazard areas (AE 10'), the Coastal Area Management (CAM) boundary, and the Waterway Protection Line Ordinance (WPLO) boundary.
Lot Size	1.607 acres (70,000 SF)
Existing Land Use	The site is currently approved for one (1) commercial building containing a private club and restaurant.
Surrounding Land Use and Zoning	General Business District to the South, and Southwest; Restricted Office-Retail District #2 to the North, and Northwest; General Business District Saugatuck to the West; and Residence A District to the East across the Saugatuck River.
<i>2017 Town Plan of Conservation and Development</i>	A goal listed in "Chapter 8" includes: 8.1 "Maintain and enhance strong centers with a "sense of place" in Westport." Pg. 59 8.5 "A key issue for Saugatuck Center going forward will be to attract and retain a mix of uses (retail, restaurant, entertainment, recreation, etc.) that will distinguish Saugatuck Center from other areas and continue to keep this area relevant and attractive." Pg. 71
Zoning History	A Recent history of zoning permits, variance, and special permits can be found below: Zoning Permit History ZBA Variance History Special Permit #99-0041 Modified 3/16/16
Applicable Regulations	§22, RORD; §34, Off-Street Parking and Loading; §35, Landscaping, Screening & Buffer Areas; §31-10, Coastal Area Regulations; §31-11 Floodplain Regulations; §43/§44, Special Permit and/or Site Plan Procedures/Documents

Property Description/History

The property is located on Riverside Ave. abutting the Saugatuck River to the west, and just north of Bridge St. The lot is conforming to lot area having 422' of frontage on Riverside Ave. in the Restricted Office-Retail District #2 (RORD2), requiring a minimum of 50' of frontage. The property is located within the 100-year flood hazard areas (AE 10'), the Coastal Area Management (CAM) boundary, and the Waterway Protection Line Ordinance (WPLO) boundary. Additionally, the lot is serviced by public water and sewer. There are no steep slopes and 461 SF of wetlands are located on the lot. There is also 10' wide public accessway along the waterfront, buffered by a seawall.

This project has received [ARB, CAM, and ZBA approval](#). This project also [received positive comments from CT DEEP](#).

Proposal

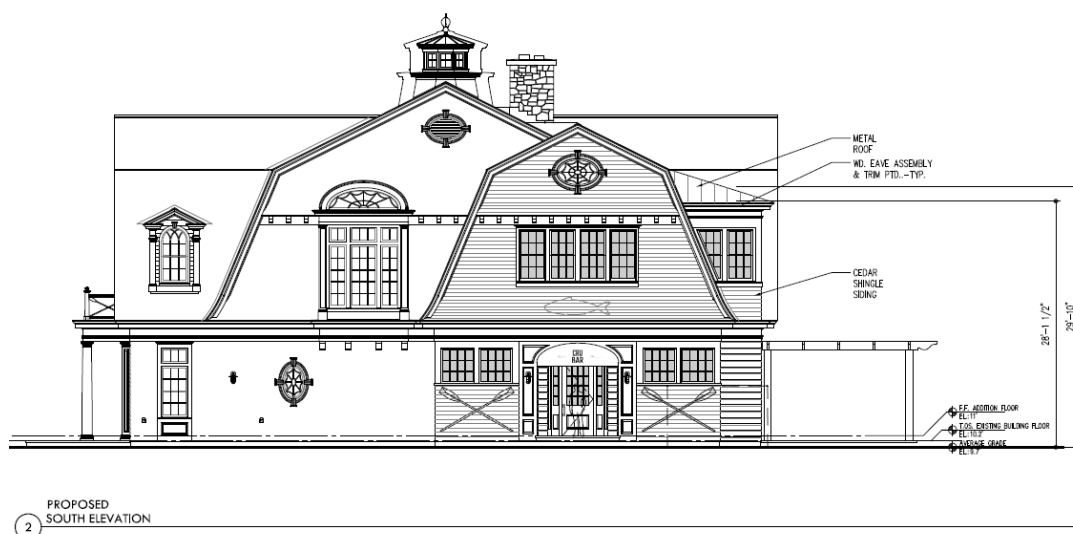
The applicant is proposing to construct a new FEMA-compliant, 354 SF, 2-story addition to the restaurant. The project also proposes the relocation and screening of five (5) a/c units, and a walkway.

The relocation of the a/c units will cause the elimination of two (2) parking spaces. They will be screened by a fence, and abutted by a new walkway and Belgian Block curbing.

The addition is proposed to have a finished first-floor elevation of 11'. This is consistent with the requirements of the AE (BFE 10') flood hazard area. There is no enclosed space proposed below the BFE.

The addition will include a new vestibule, reception area, and coat check. It is proposed to be 29' 10" in height.

As a result of this project, the applicant is requesting to apply a 50% joint parking reduction to the 616 SF of additional restaurant floor area. This parking reduction was approved and applied to the existing restaurant as per [Special Permit #99-0041 Modified 3/16/16](#). The applicant is also requesting a waiver of two (2) spaces as per [§34-4.1](#).



Proposed South elevation as depicted on [Building plans prepared by Halper Architects, LLC dated 12/19/25](#)

Analysis/Considerations

DATA TABLE

	Existing	Proposed	Required/Allowed
Gross Lot Area:	70,000 SF Conforming Lot	Same	N/A
Net Lot Area:	69,631 SF 461 SF of wetlands and no steep slopes on the property.	Same. 461 SF of wetlands and no steep slopes on the property.	N/A
Building Coverage:	8,439 SF (12.1%)	8,793 SF (12.6%) Increase of 354 SF	13,926 SF (20%)
Total Coverage:	N/A	N/A	N/A
Setbacks:			
Front:	51.4'	51.4'	30'
Side:	144.6'	142.3'	15'
Rear:	25.8'	25.8'	25'
Height (Addition):	36.5' *Legally Pre-Existing, Non-Conforming	29.8'	30' or in line with pre-existing condition Height *
Building Size/Floor Size	1 st floor = 4,294 SF 2 nd Floor = 6,486 SF 3 rd Floor (half Story) = 3,546 SF Total Floor Area = 14,326 SF *Approved by Variance #5641	1 st floor = 4,294 SF 2 nd Floor = 6,486 SF 3 rd Floor (half Story) = 3,546 SF Total Floor Area = 15,008 SF *Approved by variance ZBA-25-00572	No floor can exceed 2,500 SF Total Floor Area cannot exceed 2,500 SF
F.A.R.	0.21	0.22	0.25
Parking	66 spaces (79 required total, 66 required on-site) Special Permit #99-0041 Modified 3/16/16 granted a 50% reduction in parking for the club and restaurant and a 1-space waiver.	64 spaces	78.38 Spaces (-5.79 for outdoor dining area) = 72.59 (73)
Flood Zone Standards: (AE 10)	N/A	Finished First Floor 11'	Finished First Floor located at El. 10' + 1' freeboard = 11'

Parking

The property currently has a parking demand of 66 spaces. Those spaces are required to be maintained on-site, with 3 designated to the public for the waterfront path. This is required by condition #11 on the [Special Permit #99-0041 Modified 3/16/16](#). [§34-3](#) of the Westport Zoning Regulations requires that in the case of any change of use, addition, or extension, the incremental increase of parking must be allocated under the standards listed in §34 and §35.

Therefore, the additional 616 SF of Floor Area will require 12.32 spaces. The applicant is requesting to utilize [§34-8](#) to reduce the parking required for the additional restaurant floor area by 50%, resulting in a parking requirement of 6.16 spaces. Originally, 5.79 spaces were allocated to the outdoor dining area, which no longer requires parking per [§32-20](#). When the 5.79 spaces allocated to outdoor dining are removed from the total parking demand, the resulting parking demand is 66.435 or 66 spaces (no increase from the current demand).

The applicant is also requesting a waiver of 2 spaces as per [§34-4.1](#). This is necessary because the project proposes the elimination of 2 spaces to accommodate a relocation of the mechanicals, resulting in 64 spaces on the site. The commission is allowed to waive up to 3 spaces per [§34-4.1](#). This site has already received a waiver of 1 space as per [Special Permit #99-0041 Modified 3/16/16](#).

The applicant is also requesting that 197 SF of the proposed additional space be allocated to the private club. If the commission agrees, this would reduce the required spaces to 64 and thus, not require any parking waiver.

Column1	Existing SF	Existing Parking	Proposed Additional SF	Additional Parking
Patron Area	860.25	17.21	616	12.32
Non Patron Area	562.85	1.13	-2.85	-0.0057
Bar	95	0	0	0
Outdoor Dining	461.5	5.79	23.5	-5.79
Rowing Club	12322	33	0	0
Defered		22		0
Reduction per §34-4		-1		
Total	14301.6	66.065	636.65	6.5243

Note #1 Outdoor Dining no longer requires parking

Note # 2 The applicant is not requesting a parking variance and will be requesting a parking reduction from the P&Z Commission

Note # 3 Existing restaurant required 24.13 but was reduced by %50 for Joint Parking = 12.065

Note # 4 22 Spaces were originally defered, but as of 7/20/00 modification of Special Permit #99-041 the 22 spaces were required

2017 Plan of Conservation and Development

The application appears to comply with all applicable zoning standards and is consistent with the following goal contained in Chapter 8, Maintaining a Sense of Place, of the 2017 Plan of Conservation and Development.

A goal listed in "Chapter 8" includes:

8.1 "Maintain and enhance strong centers with a "sense of place" in Westport." Pg. 59

8.5 "A key issue for Saugatuck Center going forward will be to attract and retain a mix of uses (retail, restaurant, entertainment, recreation, etc.) that will distinguish Saugatuck Center from other areas and continue to keep this area relevant and attractive." Pg. 71

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.

Prior to Issuance of a Zoning Permit, assuming the application is approved, **the applicant shall:**

1. Submit proof of recording of the resolution on the Westport Land Records;
2. Obtain grease trap approval;
3. Obtain Aspetuck Health District approval;
4. Obtain Conservation Department approval; and
5. Obtain Engineering Department approval.

Department Comments

Engineering Department:	Engineering comments prepared by E. Gill dated January 21, 2026 state <i>“The proposed activity does not have any adverse engineering impacts with regard to grading, drainage, or other public safety considerations.”</i>
Conservation Department:	The Conservation department issued comments on January 8, 2026 stating <i>“This application is eligible for an administrative permit under the Waterway Protection Line Ordinance. The application would be reviewed and most likely approved by our department with standard conditions and requirements for sediment and erosion control.”</i>
Westport Police Dept.:	<i>“No Comment”</i>
HARB:	The ARB issued comments dated January 8, 2026 stating <i>“The application presented for 521 Riverside Ave at the 10/28/25 ARB meeting was accepted as submitted with a condition that an enclosure be designed for the A/C unit.”</i>
CT DEEP:	Comments submitted by J. Hale, DEEP, dated October 24, 2025 stating <i>“1). Ensure installation and maintenance of appropriate soil erosion and sediment control measures during the planned period. 2). Ensure that the elevation of the structure and all utility connections and AC units meets FEMA standards and local flood management standards.”</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](#):

Application Materials:

- Application received 12/22/25
- Applicant Narrative received 12/22/25
- Field Card
- Notice Letter
- Abutters List
- Abutters Map
- Certificate of Mailing
- Resolution ZBA-25-000572
- Building Plans prepared by Halper Architects LLC dated 12/19/25
- Zoning Location Survey (Existing Conditions) prepared by LANDTECH dated 3/3/25
- Site Development Plan prepared by LANDTECH, revised 10/29/25
- Conservation Department Comments dated 1/8/26
- HDC Comments dated 1/8/26
- Police Department Comments dated 1/12/26
- Engineering Department Comments dated 1/21/26

Background submitted by P&Z Staff:

- Resolution #99-0041
- Zoning History revised 11/5/25
- ZBA History revised 1/21/26