



WESTPORT

**Town of Westport  
Planning & Zoning Commission**

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Meeting: February 23, 2026  
Decision: February 23, 2026

February 26, 2026

Eric D. Bernheim, Esq.  
FLB Law  
33 Riverside Ave.  
Westport, CT 06880

**RE: 521 Riverside Ave, Special Permit/Site Plan Appl. #PZ-25-00761 for Special Permit and Site Plan**

Dear Eric D. Bernheim, Esq.:

This is to certify that at a meeting of the Westport Planning and Zoning Commission held on February 23, 2026, it was moved by M. Cammeyer and seconded by P. Lebowitz to adopt the following resolution:

**RESOLUTION #PZ-25-00761**

WHEREAS, THE PLANNING AND ZONING COMMISSION met on February 23, 2026 and made the following findings:

**FINDINGS**

Property Description/Background

1. 521 Riverside is a 1.61-acre (70,000 SF) lot located in the Restricted Office-Retail District #2 zoning district.
2. The lot conforms 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.
3. The lot is located on Riverside Ave. abutting the Saugatuck River to the west, and just north of Bridge St.
4. The property contains no steep slopes and 461 SF of wetlands.
5. The lot contains a 10' wide public accessway along the waterfront, buffered by a landscaping plan, and a seawall.
6. 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.
7. Additionally, the lot is serviced by public water and sewer.

8. The property is improved with a commercial building containing a private rowing club and a restaurant. Additional improvements include a parking lot, a seawall, and a vegetative buffer.

### Proposal

9. The applicant, Eric D. Bernheim, Esq., is requesting Special Permit and Site Plan approval to construct a new FEMA-compliant, 354 SF, 2-story addition to the restaurant.
10. Also included in the proposal is 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.
11. 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.
12. The addition will include a new vestibule, reception area, and coat check. It is proposed to be 29' 10" in height.
13. As a result of this project, the applicant is requesting to apply a 50% joint parking reduction to the 492 SF of additional floor area (146 SF of club space and 346 SF of restaurant patron area).
14. The current uses have a parking requirement of 66 spaces. The proposed addition requires 8 spaces (74 total). If the 50% joint parking reduction is applied, the demand is reduced to 70 spaces. As per §32-20 of the current Westport Zoning Regulations, outdoor dining no longer requires any parking. Therefore, the demand is further reduced by 5.79 spaces, which were part of the original allocation. This reduces the total demand to 64 spaces.

### Department Comments

15. The Town Engineering Department issued comments on 1/21/26 indicating that "The proposed activity has no adverse engineering impacts with respect to drainage, grading, or other public safety considerations."
16. The Town Conservation Department issued comments on 1/8/26, indicating that "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."
17. The Architectural Review Board issued comments on 1/8/26, indicating that "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."
18. CT DEEP issued comments on 8/24/25, indicating that "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."

## Public Hearing

19. A public hearing was held, and testimony was received on February 23, 2026.
20. The public hearing was held remotely, consistent with State Statutes. The hearing was broadcast live on public access television, was live-streamed on the Town's website, and anyone could join the meeting and offer testimony by accessing the meeting link published on the agenda one week prior to the meeting.
21. The Planning and Zoning Commission finds this application complies with the standards found in §22, RORD2, §31-11, Floodplain Regulations, and the general standards applicable to Special Permits and Site Plans, set forth in, §44-5 and §44-6.

**NOW THEREFORE, BE IT RESOLVED** that **521 Riverside Avenue: Special Permit/Site Plan Appl. PZ-25-00761** submitted by Eric D. Bernheim, Esq, FLB Law, for property owned by SRC Realty Group, LLC, to construct a two-story addition to the existing restaurant, request a 50% joint parking reduction and a waiver of two parking spaces located in the Restricted Office Retail #2 district, PID B06039000 is **GRANTED** subject to the following modifications:

## Modifications

1. Conformance to the Site Development Plan prepared by LANDTECH, revised to 10/29/25.
2. Conformance to the Zoning Location Survey and Topographic Survey prepared by LANDTECH dated 9/19/24.
3. Conformance to the Building Plans prepared by Halper Architects LLC revised 2/6/26.
4. Conformance to Conservation Department comments dated 1/8/26.
5. Conformance to the Town Engineer's comments dated 1/21/26.
6. Conformance to the ARB comments dated 1/8/26.
7. Conformance to Special Permit resolution #99-0041.
8. Conformance to Zoning Board of Appeals resolution #ZBA-25-00572.
9. Trees and shrubs on Town property or in the Town right of way shall not be removed, pruned, injured, or defaced without the consent of the Town's Tree Warden.
10. Prior to the commencement of any construction, site work, tree removal or demolition, the soil and erosion controls shall be installed and inspected by Staff.
11. The replacement and/or repair of a stone wall greater than four (4) feet in height shall require the issuance of a building permit.
12. All new utilities shall be placed underground.
13. Prior to the issuance of the Zoning Permit, the following minimum requirements must be met:
  - A. Proof of filing the Resolution on the Land Records;
  - B. Obtain approval from the Conservation Department;
  - C. Obtain approval from the Apestuck Health District;
  - D. Obtain a FOG permit from the WPCA; and
  - E. Obtain approval from the Engineering Department;

14. This application is granted upon the condition that all construction and site improvements shall be in strict accordance with the plans and other documents submitted and any statements or representations made by the applicant or agent on the record. Any deviation from such documents or representations shall require further review and approval from the Commission.
15. All work approved pursuant to this Site Plan shall be completed within 5 years of date of approval, by February 23, 2031.
16. 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.

**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 to the maximum allowed by statute; and/or 4) enforcement action through a judicial proceeding.

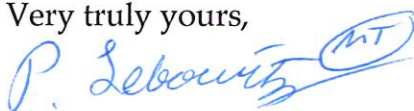
**REASONS:**

The application as modified has been found to be in conformance with all applicable zoning regulations, with the 2017 Plan of Conservation and Development, and the Site Plan and Special Permit standards listed in §44-5 and §44-6.

**VOTE:**

AYES	-7-	Lebowitz, Cammeyer, Bolton, Calise, Zucaro, Injeski, Schiavone
NAYS	-0-	
ABSTENTIONS	-0-	

Very truly yours,



Paul Lebowitz  
Chairman, Planning & Zoning Commission

cc: Edward Gill, Town Engineer  
Colin Kelly, Conservation Director  
Luci Bagno, Health Director