



Town of Westport
Planning and Zoning Commission
Town Hall, 110 Myrtle Avenue
Westport, CT 06880
Tel: 203-341-1030 Email: pandz@westportct.gov
www.westportct.gov

February 27, 2026

The following meeting of the Planning & Zoning Commission was held remotely using Zoom Technology

Planning & Zoning Commission Meeting

February 23, 2026

Remote Meeting

Meeting Start Time: 6:00 P.M.

P&Z Members in Attendance: Paul Lebowitz, Michael Cammeyer, Michael Calise, Patrizia Zucaro, John Bolton, Bre Injeski, Craig Schiavone, Michael Valante

Town Staff: Michelle Perillie, Planning and Zoning Director

I. PRE-APPLICATION MEEETING

1. **41 Crescent Rd:** Appl. PZ-26-00078, Submitted by John F. Fallon, Esq., for the review of a potential 30 unit residential community pursuant to CGS §8-30g or the potential 4 lot subdivision. **Time Allotted for a Pre-Application: 20 minutes**

Feedback provided by Commission members.

II. PUBLIC HEARING

(The following will be discussed and voted on as time permits. The public may observe and participate at the public hearing.)

1. **Text Amendment #857:** PZ-25-00635 submitted by Andy Soumelidis of LANDTECH, to modify §22-7, Restricted Office-Retail District #1, to permit additions to existing historic buildings, provided the addition does not exceed 50% of the existing building area, the lot is at least one acre in size, the building is listed on the Historic Resources Inventory, and the addition is designed as an integral part of the existing structure, both internally and externally. A copy of the text amendment is available on-line at www.westportct.gov on the Planning & Zoning Office web page under "P&Z Pending Applications & Recent Approvals." A copy may also be viewed at Town Hall, 110 Myrtle Ave., in the Town Clerk's Office and Planning & Zoning Office.

Testimony was received by the applicant, the public, and Commissioners.

Motion to Close: 2nd B. Injeski (2nd P. Lebowitz)

Vote: (7-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, J. Bolton, M. Calise, C. Schiavone, P. Zucaro

NAY: -

Motion to Approve: B. Injeski (2nd M. Cammeyer)

Vote: (6-1-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, M. Calise, P. Zucaro, C. Schiavone

NAY: J. Bolton

ABSTENTION: -

2. **50 Post Road West:** Special Permit/Site Plan Appl. PZ-25-00639 submitted by Andy Soumelidis of LANDTECH, for property owned by Botero Property Management, LLC, to utilize the provisions of §32-12, Inclusionary Two-Family and Multi-Family Dwellings, to convert and expand the existing Historic commercial building into thirteen (13) residential units and to construct four (4) new townhouses, for a total of seventeen (17) residential units, four (4) of which will be deed-restricted affordable units. Additional site improvements include a new parking area, landscaping, sidewalks, and drainage enhancements, located in the Restricted Office Retail District #1, PID C09064000.
Applicant's Presentation Time: 15 Minutes.

Testimony was received by the applicant, the public, and Commissioners.

Motion to Close: M. Cammeyer (2nd P. Lebowitz)

Vote: (5-2-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, M. Calise, C. Schiavone

NAY: P. Zucaro, J. Bolton

ABSTENTION: -

Motion to Approve: B. Injeski (2nd M. Cammeyer)

Vote: (6-1-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, M. Calise, P. Zucaro, C. Schiavone

NAY: J. Bolton

ABSTENTION: -

3. **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.

Testimony was received by the applicant, the public, and Commissioners. The applicant withdrew the request to waive two parking spaces.

Motion to Close: M. Cammeyer (2nd P. Lebowitz)

Vote: (7-0-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, P. Zucaro, J. Bolton, M. Calise, C. Schiavone

NAY: -

ABSTENTION: -

Motion to Approve: J. Bolton (2nd P. Lebowitz)

Vote: (7-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, J. Bolton, M. Calise, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION: -

4. **70 Beachside Avenue:** Special Permit/Coastal Site Plan Appl. PZ-25-00636 submitted by Michale Ferdman, for property owned by Michael and Stephanie Ferdman, to replace an existing seawall and replace in kind with a new seawall, armored slope and dune plantings, located in the Residence AAA District, PID H05025002.

Testimony was received by the applicant and Commissioners.

Motion to Close: B. Injeski (2nd P. Lebowitz)

Vote: (7-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

Motion to Approve: M. Cammeyer (2nd B. Injeski)

Vote: (7-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION: -

III. WORK SESSION

(The following will be discussed and voted on as time permits. The public may observe and participate at the public hearing.)

New Business: None

5. **50 Sylvan Rd N:** PZ-25-00556, Request for the extension to file subdivision maps.

Motion to Grant Extension: J. Bolton (2nd P. Lebowitz)

Vote: (7-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, J. Bolton, M. Calise, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION: -

6. **107 Old Rd:** PZ-25-00481, Request for the extension to file subdivision maps.

Motion to Grant Extension: P. Zucaro (2nd P. Lebowitz)

Vote: (7-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION: -

Old Business:

7. *(The application was closed on 2/9/26)* **Text Amendment #864:** PZ-26-00024 submitted by Richard Redniss, to modify §5, Definition of Special Needs Individuals, to reference U.S. Code 42 U.S.C. §15002 in order to serve a wider range of individuals, and to modify §39A, Inclusionary Housing Overlay District, to permit offsite affordable housing at the discretion of the Planning and Zoning Commission. A copy of the text amendment is available on-line at www.westportct.gov on the Planning & Zoning Office web page under "P&Z Pending Applications & Recent Approvals." A copy may also be viewed at Town Hall, 110 Myrtle Ave., in the Town Clerk's Office and Planning & Zoning Office.

(Sitting Members: P. Lebowitz, M. Cammeyer, M. Calise, J. Bolton, B. Injeski, C. Schiavone, M. Valante)

No action taken by the Commission.

8. *(The application was closed on 2/9/26)* **785 Post Road East:** Special Permit/Site Plan Appl. #PZ-26-00023 submitted by the Richard W. Redniss, FAICP, on behalf of 785 Post Rd E LLC, property owner, for modification of Special Permit/Site Plan #16-036 to allow the conversion of the second and third floor of the approved commercial building to house two (2) residential units, minor vertical expansion of the third floor and potential on/off site affordable housing solution, for property located in the General Business District/Residence A-Inclusionary Housing Overlay District, PID #E09191000.

(Sitting Members: P. Lebowitz, M. Cammeyer, M. Calise, J. Bolton, B. Injeski, C. Schiavone, M. Valante)

No action taken by the Commission.

The meeting concluded at 9:48pm.



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Public Hearing: February 23, 2026
Decision: February 23, 2026

February 25, 2026

Andy Soumelidis
LANDTECH
518 Riverside Avenue
Westport, CT 06880

Re: Text Amendment #857 Appl. PZ-25-00635, Modifications to §22, Restricted Office-Retail District #1

Dear Andy Soumelidis:

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

RESOLUTION # PZ-25-00635

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

Background

1. §22, Restricted Office-Retail District (RORD), was created in 1975 by the Planning and Zoning Commission. Three sub-districts exist within the RORD (#1, #2, and #3). RORD #1, which is the targeted sub-district of the proposed text amendment, was established by Text Amendment #251-A on 11/5/1981.
2. Reasons listed for the regulation changes included to reduce commercial development, to reduce traffic impact, and to help to retain existing dwelling units. The regulations restricted Restaurants and other food service establishments, commercial marinas and docks to the RORD #2 only. Retail/Service and Office uses were allowed with Special Permit approval in both the RORD #1 and #2. A maximum FAR of .5 was allowed in the RORD#1 and a maximum FAR of .35 was allowed in the RORD#2.

3. The purpose of the RORD is to:

"... allow for the limited use of land and existing buildings for offices, retail stores, multiple-family dwellings and combinations thereof. These provisions are designed to create zone classifications, which would afford a reasonable and desirable combination of compatible uses along the Post Road, Riverside Avenue and Saugatuck Avenue adjacent to and in scale with established residential areas. Frame residential structures on small lots with topographic limitations in the proximity of commercial areas tend to become economically depressed as the demand for fire resistant buildings on larger and more accessible sites increases. Such areas were originally more residential in architectural design, building scale and physical features of the land. These provisions are intended to retain the residential scale and massing of the existing buildings and are not intended to lead to the wholesale redevelopment of those areas to new commercial uses. Consequently, a mixed-use type of zone is required to conserve the value of such property and to recognize the intensity of uses while preserving such areas from the standpoint of compatible land uses, architectural design, building scale and physical appearance."

Proposal

4. Text Amendment #857 proposes revisions to §22 of the Zoning Regulations for the Restricted Office–Retail District #1.
5. The current regulation permits a maximum building area of 2,500 square feet. The proposed amendment would allow additions to existing Historic Buildings, provided:
 - a. The addition does not exceed 50% of the existing building area;
 - b. The lot is at least one acre in size;
 - c. The building is listed on the Historic Resources Inventory; and
 - d. The addition is designed as an integral part of the existing structure, both internally and externally.
6. Currently, the only parcel that would qualify for this amendment is the subject parcel, 50 Post Road West.

Department Comments

7. A request for comments was transmitted to all town department heads and regional planning agencies where no objections were received.

Public Hearing

8. A public hearing was held on February 23, 2026 to receive testimony from members of the public as required pursuant to State Statutes.
9. 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 interested parties were provided with the opportunity to join the meeting and offer live testimony.

10. A press release was also distributed to enhance public participation consistent with guidelines established in 2018 by the Planning and Zoning Commission's Communications Subcommittee.
11. All application materials, and public comments received in writing prior to the meeting were posted on the Town's website and available within the Planning & Zoning Department.

Findings

12. The Commission found it acceptable to modify the amendment to require, as a condition of approval prior to the issuance of a Zoning Permit, that the applicant grant a perpetual preservation easement on the existing Historic Structure pursuant to Connecticut General Statutes §47-42 a-c. The easement shall be enforceable by both the Planning & Zoning Commission and the Historic District Commission and shall provide, among other things, for the right of the holder of the easement to take all actions necessary to preserve the structural and historic integrity of the historic structure or historic accessory structure, and to charge the expense thereof to the owner in the event the owner fails to keep the exterior of the structure in good repair.
13. The Commission finds that Text Amendment #857 is consistent with the intent of the Restricted Office-Retail District #1, which seeks to allow limited development while preserving residential scale, building massing, and architectural character along Post Road.
14. The amendment supports the preservation and adaptive reuse of historic buildings by permitting modest additions to structures listed on the Historic Resources Inventory.
15. The Commission finds that the Text Amendment is consistent with the goals of the POCD, which promote creating opportunities for additional affordable housing in Westport and the region, where demand exceeds supply, while also preserving the integrity of historic structures. The following policies in the POCD support this finding:
 - a. Maintain and enhance community character by managing development and redevelopment so that new construction is appropriate in scale and character for its setting and reflects the built form of the neighborhood (Chapters 4 and 10).
 - b. Seek ways to modify the Zoning Regulations to encourage appropriate improvements and/or redevelopment along the Post Road while maintaining compatibility with surrounding areas (Chapter 9).
 - c. Maintain the overall residential density within a range reflective of the built form of the neighborhood and protect residential neighborhoods from encroachment by inappropriate uses (Chapter 10).
 - d. Consider ways of integrating affordable and workforce housing and continue to address housing needs in Westport, recognizing that the demand for affordable housing outstrips the supply and that solutions should be appropriate for the community (Chapter 10).

16. The Commission also finds that the amendment is consistent with the goals listed in the 2022-2027 Affordable Housing Plan, including:
- a. Decisions regarding new development should be made through thoughtful local planning that considers environmental conditions, infrastructure constraints, and community impacts, rather than relying solely on private-sector development under CGS §8-30(g).
 - b. Housing costs should not exceed 30% of household income, and actions that create attainable, appropriate, and reasonably priced housing—including deed-restricted affordable units or additional housing units—benefit the Town as a whole.
 - c. For the 2022–2027 period, the Town seeks to increase the number of affordable housing developments in a meaningful way, including expanding existing housing opportunities and creating new affordable units.
 - d. The Plan supports the use of deed restrictions and zoning mechanisms, including allowing greater density where mostly affordable units are created, to ensure long-term affordability.

NOW THEREFORE, BE IT RESOLVED Text Amendment #857: PZ-25-00635 submitted by Andy Soumelidis, LANDTECH, to modify §22, Restricted Office-Retail District #1, to allow additions to existing Historic Buildings, provided the addition does not exceed 50% of the existing building area, the lot is at least one acre in size, the building is listed on the Historic Resources Inventory, and the addition is designed as an integral part of the existing structure, both internally and externally is **ADOPTED as MODIFIED.**

Reasons

1. Approval establishes a zoning incentive that encourages reinvestment in historic buildings and supports their long-term preservation.
2. The amendment allows only a modest increase in building area and includes safeguards that preserve the district’s intended character.
3. The amendment enables adaptive reuse of historic buildings for residential purposes, including the provision of affordable housing.
4. Due to its narrow applicability and strict criteria, the amendment will not materially alter development patterns or intensity within the RORD #1 district.

VOTE:

AYES	-6-	Lebowitz; Cammeyer; Zucaro; Calise; Injeski; Schiavone
NAYS	-1-	Bolton
ABSTENTIONS	-0-	

The effective date of this amendment is March 16, 2026.

Very truly yours,

 A.T.

Paul Lebowitz
Chairman, Planning & Zoning Commission

Attached
Adopted Text Amendment #857

cc: Donna Douglass, HDC Administrator
Matt Mandell, RTM P&Z Committee Chairman
Jeff Wieser, RTM Moderator
Ira Bloom, Town Attorney's Office

Text Amendment #857
Submitted: 10/17/2025
Received: 10/20/2025
Public Hearing: 02/23/2026
Adopted: 02/23/2026
Effective Date: 03/16/2026

Deleted language is ~~struck-out and in brackets~~; New language is underlined.

§22 RESTRICTED OFFICE-RETAIL DISTRICTS #1, 2 & 3 (RORD)

22-7 Building Area (See Definitions)

~~[No building shall have more than two thousand, five hundred (2,500) square feet of building area.]~~

22-7.1 In RORD #2 & #3

No building shall have more than two thousand, five hundred (2,500) square feet of building area.

22-7.2 In RORD #1

No building shall contain more than two thousand five hundred (2,500) square feet of building area. A principal building may, however, be expanded beyond this limit for the creation of Inclusionary Two-family and Multi-Family Dwellings on lots with a minimum area of one (1) acre, provided that:

- a. The building is listed on the Historic Resources Inventory, and
- b. Additions are designed as an integral part of the interior and exterior of the existing structure; and
- c. The total Building Area expansion does not exceed fifty percent (50%) of the footprint of the principal structure; and
- d. Prior to issuance of a Zoning Permit, the applicant shall grant a perpetual preservation easement pursuant to Connecticut General Statutes, §47-42 a-c, enforceable by both the P&Z Commission and the Historic District Commission, which shall provide, among other things, for the right of the holder of the easement to do all things necessary to preserve the structural and historic integrity of the historic structure or historic accessory structure and to charge the expense thereof to the owner upon the owner's failure to keep the exterior of the structure in good repair.



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

February 25, 2026

Andy Soumelidis
LANDTECH
518 Riverside Avenue
Westport, CT 06880

RE: Special Permit/Coastal Site Plan Appl. PZ-25-00639 for 50 Post Road West

Dear Andy Soumelidis:

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

RESOLUTION #PZ-25-00639

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

FINDINGS

Property Description/Background

1. 50 Post Road West, is a 1.01-acre (44,085 SF) parcel located within the Restricted Office-Retail District #1 and within the Coastal Area Management (CAM) boundary. The property is outside the 100-year flood zone and contains 2,677 square feet of steep slopes.
2. The property is currently developed with a 3,515 +/- SF building constructed in 1835 known as the Captain Frederick Sherwood House according to the Historic Resources Inventory and a 1,549 +/- SF building located toward the rear of the lot, constructed in the 1960's. Both buildings were once served as a residential use but have since been converted to office use with light retail.
3. The earliest site plan filed in 1966 approved 22 parking spaces dedicated for the primary commercial building and 2 parking spaces within the garage for the rear building for a total of 24 parking spaces.

4. Map Amendment #84 rezoned the property from the Business District to the Restricted Office Retail District in 1975 and a Special Permit #81-59 was granted to operate a retail florist shop with second floor storage in 1981. A Variance #ZBA-25-00185 for maximum driveway slope to reduce the steepness was granted on 7/8/25.
5. A Pre-Application meeting was requested for a potential Text Amendment to adaptively reuse the building to create multi-family dwelling units. The Public Meeting was held on 2/28/22 where positive feedback was provided.
6. Text Amendment #857, adopted on February 23, 2026, proposed revisions to §22 of the Zoning Regulations for the Restricted Office-Retail District #1 to allow for greater floor area for existing Historic Building provided that:
 - a. The addition does not exceed 50% of the existing building area; and
 - b. The lot is at least one acre in size; and
 - c. The building is listed on the Historic Resources Inventory; and
 - d. The addition is designed as an integral part of the existing structure, both internally and externally; and
 - e. Prior to issuance of a Zoning Permit, the applicant shall grant a perpetual preservation easement pursuant to Connecticut General Statutes, §47-42 a-c, enforceable by both the P&Z Commission and the Historic District Commission, which shall provide, among other things, for the right of the holder of the easement to do all things necessary to preserve the structural and historic integrity of the historic structure or historic accessory structure and to charge the expense thereof to the owner upon the owner's failure to keep the exterior of the structure in good repair.

Proposal

7. The applicant is seeking Special Permit/Coastal Site Plan approval to construct seventeen (17) residential units by:
 - a. Utilizing the provisions of §32-12, Inclusionary Two-Family and Multi-Family Dwellings.
 - b. Convert and expand the existing historic commercial building into thirteen (13) residential units utilizing the provisions in Text Amendment #857 adopted on February 25, 2026. A gym, changing rooms, a sauna, and storage are also proposed in the basement.
 - c. Demolition of the existing rear structure and to construct a new building consisting of four (4) townhouses.
 - d. Provide four (4) units, which is one (1) more unit than the required 20% to be deed-restricted affordable.
 - e. Provide 26 bedrooms per gross lot area inclusive of 6 affordable bedrooms having an average unit size of 1,044 SF.

- f. Improve the site with a new parking area, landscaping, lighting, sidewalks, and drainage.
8. §32-12.11, Parking for Inclusionary Two-family and Multi-Family Dwellings, states the P&Z Commission may reduce the required multifamily parking standards by 0.5 spaces per unit. The applicant is requesting this reduction for a total required parking of 25.75 or 26 spaces. The applicant has provided thirty (30) parking spaces, all of standard size (9' x 18') and two (2) ADA compliant parking spaces for a total of 32 parking spaces where 34 spaces are required.
9. The front landscaping area consists of four (4) European Hornbeam trees. The parking area consists of four (4) Red Maple trees. The buffer strip landscaping consists of thirty-five (35) Douglas Fir trees. For 357.91' of residential buffer, 36 trees are required.
10. Seven (7) low lying Pavilion bollards around the parking areas and fifteen (15) low level pathway lighting along the walkways are proposed.
11. The proposed drainage systems are only intended to capture runoff from the proposed multi-family residence, proposed building additions, the existing building, and the proposed parking and driveway area. The proposed underground detention systems are sized based on the required water quality volume as well as runoff control for the 25-year storm event.
12. A 5' wide concrete sidewalk along Post Road West is also proposed and requires final ConnDOT approval.
13. Two (2) refuse areas are located with the parking area and outside of the buffer area, to be covered and screened.
14. A Traffic Analysis in accordance with §44-2.5 shall be required unless the Planning & Zoning Commission waives the requirement.

Department Comments

15. A request for comments was sent to all department heads where no objections were received.
16. The Architectural Review Board reviewed and approved the application during their October 28, 2025.
17. The Aspetuck Health District stated the property is on town sewer and city water therefore the only concern the health district would have is if there is lead paint in the historic building, which would require that the renovation work be completed by RRP contractors.
18. The Town Engineering Department submitted comments stating that the drainage, grading, and sedimentation and erosion controls all substantially comply with town requirements. If the application is approved, the applicant shall obtain a Road Opening Permit and secure a Sanitary Sewer Connection Permit.

19. CT DOT provided preliminary comments dated 1/30/26 citing minor updates regarding sightlines and state road signage required.

Public Hearing

20. A public hearing was held, and testimony was received on February 23, 2026.
21. 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.
22. All application materials, and public comments received in writing prior to the meeting were posted on the Town's website to maintain transparency while conducting remote meetings.
23. Neighboring property owners within a 250' radius of 50 Post Road West received a notice letter.

Findings

24. The Planning and Zoning Commission found it appropriate to waive the requirement for a Traffic Analysis as the proposed multifamily residential use is expected to generate vehicle trips during typical commuting periods; however, commercial uses generally produce higher total daily trips and multiple concentrated peak periods due to employees, customers, and deliveries all arriving and departing at different times. Residential traffic, by contrast, is more predictable, with peak activity primarily tied to morning and evening commuting. As a result, the redevelopment is likely to have a comparable or lower net impact on the surrounding roadway network than the site's current by-right office and retail uses.
25. The Commission approved a reduction of 0.5 parking spaces per dwelling unit because the site is located on a state roadway with multiple public transportation options, providing residents and visitors with alternative modes of access. In addition, vehicle eligibility for each unit should not be assumed, and the modest reduction would provide flexibility in site planning without compromising overall access or circulation.
26. As agreed to by the applicant, the applicant shall:
 - a. Confer with the abutting residential property owners regarding the placement and types of trees required pursuant to §35-2.4, Buffer Strip; and
 - b. Remove all sight line issues while complying with §35.2.2, Landscaping Area; and
 - c. Place a shade tree on the lone island separating the upper and lower parking areas, while complying with §35.2.3; and
 - d. Establish a reasonable refuse pickup time, as garbage collection will be performed by a private entity, while complying with §32-9; and
 - e. Properly screen all mechanical pads.

Conclusions

27. The Westport Planning and Zoning Commission finds this application complies with the standards found in §22, Restricted Office-Retail District, RORD #1; §32-12, Inclusionary Two-family and Multi Family Dwellings; §34, Off Street Parking & Loading; §35 Landscaping Screening and Buffer Area; and the general standards applicable to Special Permits and Site Plans, set forth in §44-5 and §44-6, and is in accordance with the *2017 Town Plan of Conservation and Development*.
28. The Westport Planning and Zoning also Commission finds this project is consistent with the policies identified in Section(s) 22a-92(b) (1) and 22-a-92 (b) (2) of the Coastal Area Management Act; that it will not adversely affect adjacent Coastal Resources (General Resources and Coastal Hazard Areas) identified in Sections 22-93 (a) (7) of said Act.

NOW THEREFORE, BE IT RESOLVED that 50 Post Road West: Special Permit/Coastal Site Plan Appl. #PZ-25-00639 to utilize the provisions of §32-12, Inclusionary Two-Family and Multi-Family Dwellings, to convert and expand the existing Historic commercial building into thirteen (13) residential units and to construct four (4) new townhouses, for a total of seventeen (17) residential units, four (4) of which will be deed-restricted affordable units, on property located in the Restricted Office-Retail District #1 (RORD #1), PID# C09064000 is **GRANTED** subject to the following modifications:

Modifications

1. Conformance to the Project Narrative prepared for 50 Post Road West and prepared LANDTECH dated 8/29/25.
2. Conformance to the Affordability Plan for 50 Post Road West and prepared by Botero Property Management LLC revised 12/19/25 to be reviewed and approved by the Town Attorney's office.
3. Conformance to the Stormwater Management Report for 50 Post Road West and prepared by LANDTECH revised 11/19/25.
4. Conformance to the Coastal Site Plan Review prepared for 50 Post Road West and prepared by LANDTECH dated 12/1/25.
5. Conformance to the Housing Units and Size prepared for 50 Post Road West and prepared by LANDTECH.
6. Conformance to the Zoning Location Survey & Topographic Survey prepared for Tomas Botero and prepared by LANDTECH dated 8/20/24.
7. Conformance to the Site Improvements for a Proposed Multi-Family Residence prepared for Tomas Botero and prepared by LANDTECH revised 1/9/26 and to be further revised to:
 - A. Depict thirty-six (36) evergreen trees along the residential boundary; and
 - B. Provide at least four (4) shade trees, setback at least ten (10) feet from Post Road West and not within the sightlines; and

- C. Provide a shade tree on the lone island separating the upper and lower parking areas; and
 - D. Depict screening for all mechanical pads; and
 - E. Include CT DOT approved sightlines and roadway signage pursuant to their comments dated 1/30/26.
8. Conformance to the design plans prepared for 50 West Apartments and prepared by EV A Studio dated 12/30/25 (13 pages).
 9. Conformance to the design plans prepared for 50 West Townhouses and prepared by EV A Studio dated 1/19/26 (6 pages).
 10. Conformance to the Architectural Review Board Meeting Minutes dated 7/22/25.
 11. Conformance to the Memorandum prepared for 50 Post Road West and prepared by Edward Gill, PE dated 12/30/25.
 12. Conformance to CT DEEP comments dated 11/18/25
 13. Conformance to Variance Resolution #ZBA-25-00185 granted on 7/8/25.
 14. Conformance to CT DOT Comments dated 1/30/26.
 15. 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.
 16. 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.
 17. Prior to the issuance of a Zoning Permit for this work, the applicant shall submit and obtain the following:
 - A. Proof of filing the Resolution on the Land Records;
 - B. Submit the final Affordability Plan to be reviewed and approved by the Assistant Town Attorney; and
 - C. Proof of filing the Affordability Plan on the Land Records; and
 - D. Proof of filing the Perpetual Preservation Easement on the Land Records; and
 - E. Submit a revised Site Improvements for a Proposed Multi-Family Residence pursuant to Modification #7; and
 - F. Obtain final approval from the Engineering Department; and
 - G. Obtain final approval from ConnDOT for the work within the State R.O.W.
 18. The replacement and/or repair of a stone wall greater than four (4) feet in height shall require the issuance of a building permit.
 19. All new utilities shall be placed underground.

20. Prior to the issuance of the Zoning Certificate of Compliance, the following minimum requirements must be met:
 - A. The applicant shall submit a Certified "As-Built" survey stamped by a registered Engineer or Surveyor; and
 - B. Planning and Zoning staff shall conduct an inspection of the site to verify that the lot is stabilized, the required landscaping is installed, and the driveway is completed.
21. 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.
22. All work approved pursuant to this Site Plan shall be completed within 5 years of date of approval, by February 23, 2031.
23. 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 the maximum allowed by statute; and/or 4) enforcement action through a judicial proceeding.

REASONS:

The application as modified is found to be in conformance with all applicable zoning regulations, with the *2017 Plan of Conservation and Development*, the Site Plan and Special Permit standards listed in §44-5 and §44-6, and no adverse impacts to coastal resources.

VOTE:

AYES	-6-	Lebowitz; Cammeyer; Zucaro; Calise; Injeski; Schiavone
NAYS	-1-	Bolton
ABSTENTIONS	-0-	

The effective date of this application is March 17, 2026.

Very truly yours,

 A.T.

Paul Lebowitz
Chairman, Planning & Zoning Commission

cc: Edward Gill, Town Engineering Department
Donna Douglass, HDC Administrator



WESTPORT

**Town of Westport
Planning & Zoning Commission**

Town Hall, 110 Myrtle Avenue, Room 203, Westport, CT 06880
Telephone (203) 341-1030 | Fax: (203) 454-6145
pandz@westportct.gov | www.westportct.gov

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 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



Town of Westport
Planning and Zoning Commission
Town Hall, 110 Myrtle Avenue
Westport, CT 06880
Tel: 203-341-1030 | Fax: 203-454-6145 | pandz@westportct.gov
www.westportct.gov

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

February 24, 2026

Tim DeBartelemeo, PE
Sound Engineering Associates
195 Tunxis Hill Road, Suite 203
Fairfield, CT 06825

RE: 70 Beachside Avenue, Coastal Site Plan #PZ-25-00636

Dear Mr. DeBartelemeo:

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

RESOLUTION #PZ-25-00636

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

FINDINGS

Property Description/Background

1. 70 Beachside Avenue is a conforming 2.87 acre rear lot in the Res. AAA zoning district, requiring 2 acres. The net lot area is 2.57 acres due to the deduction of the 12,888 SF accessway. There is also an open space conservation easement along the west property line as well as a 6 foot pedestrian easement (1,896 SF) which benefits 66 Beachside Avenue as shown on the WLR Map #10292.
2. The lot is improved with a residence, driveway, pool, patio and partially collapsed seawall constructed prior to 1934. The property is located within the Coastal Area Management boundary and is partially within the VE 15 flood zone per FIRM Panel 09001C0556G. The majority of the property including the house is outside the 100-year floodplain.

Proposal

3. The application requests Coastal Site Plan approval to replace an existing 340 foot seawall with a stone seawall (Shoreline Flood and Erosion Control Structure) and concrete

slab, armor stone and dune with plantings along the shoreline of the property. The proposed armor stone and dune with plantings is designed to dissipate any waves make it over the top of the wall instead of reflecting them back out to the water. It also reduces the potential for erosion of soil behind or under the structure. The dune will prevent stormwater from rushing over the top of the structure and causing erosion.

4. This property lies within the Coastal Area Management Boundary, as defined by C.G.S. §22a-94 and therefore, a CAM review is required in accordance with C.G.S. §22a-109 and the Town of Westport Zoning Regulations §31-10.2 (Location) and §31-10.5 (Coastal Site Plan Requirements). As the proposed revetment is not exempt a Coastal Site Plan review is required.

5. According to the Cahn, Inc. Map, the following coastal resources have been identified as either on and/or adjacent to the site: General Resources, Shorelands, Beaches and Dunes, Nearshore waters, Coastal Hazard Areas. The coastal resources are defined in the Connecticut Coastal Management Manual.

6. CGS 22a-109(d) requires an application for a Shoreline Flood and Erosion Control Structure be referred to the Commissioner of the Department of Energy and Environmental Protection so they can provide comments.

7. Comments from John Gaucher, Environmental Analyst III at CT DEEP, dated 2/20/26 were received indicating the improvements behind the seawall would not be considered a Flood and Erosion Control Structure with the recommended revisions which have been incorporated into the revised plan dated 2/20/26.

8. The Coastal Area Management (CAM) Act discourages shoreline flood and erosion control structures. Although the intent behind shoreline structures is to alleviate flood and erosion problems, in fact they can exacerbate erosion problems. The CAM policy is to promote non-structural solutions to flood and erosion problems. However repairs and maintenance of existing shoreline flood and erosion control structures are not considered inconsistent with CAM policies.

9. Connecticut Department of Energy and Environmental Protection (CT DEEP) was satisfied with the replacement as such the department issued Certificate of Permission #202507273-COP on 12/29/25 for removal of the three groins, replace and modify the concrete seawall.

10. The site is partially located within the bounding limits of the 100-year Flood Line (VE 15) as shown on the Panel #090019C0556G (effective 7/8/13) of the FIRM maps.

11. The proposed seawall must be constructed to withstand VE zone forces.

12. The Office of Long Island Sound Program Fact Sheet for Vegetated Buffers, by the Connecticut Department of Environmental Protection states the following,

“Buffers protect resources from adjacent development by reducing the adverse effects of human activities on natural resources including wetlands and surface waters. They protect water quality and temperature, control erosion and trap sediment, protect and

provide wildlife habitat, reduce the effects of flooding, reduce the potential for direct human disturbance of sensitive resources, and maintain aesthetic diversity and recreational value. A buffer provides a mosaic of interdependent functions. Installation of a buffer area can also lessen lawn maintenance requirements by reducing the area of manicured landscape.”

13. The Department of Energy and Environmental Protection (CT DEEP) Office of Long Island Sound Fact Sheet on Vegetated Buffers suggests that “large buffers (e.g. 100 feet or greater in width) provide the best protection for water quality by buffering temperature changes and improving control of erosion, sedimentation and pollution. However, even a narrow buffer (15 to 30 feet in width) can be effective under certain conditions.”

14. The buffer must consist of native salt tolerant plantings and will be required to remain in perpetuity in order to:

- Reduce the adverse effects of human activities on natural resources including wetlands and surface waters by acting as filters to intercept and absorb nutrients, sediment and other pollutants carried in storm water runoff from fertilized lawns and landscaping where pesticides are applied.
- Slow down runoff, which both reduces erosion and allows silt and other suspended solids to settle out before they reach a receiving water body or wetlands; and
- Trap bacteria and pathogens from pet wastes and thereby preserving water quality.

15. A 14 -foot wide vegetative buffer of native salt tolerant plantings be planted from the revetment landward in order to stabilize the disturbed area, to provide habitat for wildlife and to intercept and absorb nutrients and prevent contaminants from reaching the adjacent coastal resources.

16. The Commission found weekly inspections by the Town of Westport Sediment & Erosion Inspector until final stabilization is achieved.

17. Seawall replacement shall be limited to 20 foot sections. At no time shall work begin on a second section without the prior section being stabilized to prevent erosion of exposed sediments into Long Island Sound. As suggested by the Conservation Department, staff recommends weekly inspections by the Town of Westport Sediment & Erosion Inspector until final stabilization is achieved.

Department Comments

18. Comments from Ted Gill, Engineer II, dated 2/20/26 conclude, “I have no concerns with the activity from an engineering standpoint.

19. Comments dated 12/19/25 conclude there are no inland wetlands on this site, however a Coastal Hazard Area is identified along the FEMA Flood Zone VE associated with interface of Long island Sound, Therefore, IWW regulations hold no jurisdiction on the above-referenced property. In addition, the site is beyond the jurisdiction of the WPLO. Therefore,

no permits would be required from the Conservation Department. Comments and recommendations were included as well and have been considered.

Public Hearing

20. A public hearing was held, as required by Section 43-5.2 of the Westport Zoning Regulations, for a Shoreline Flood and Erosion Control Structure as defined in CGS §22a-109 located within the Coastal Boundary as described in CGS §22a-94.

21. The public hearing and work session was held remotely using electronic means due to COVID-19. The public hearing and work session was broadcasted live on public access television and live on-line on the Town's website. Interested parties were provided the opportunity to join the meeting and offer "live" testimony, consistent with executive orders issued by the Governor.

22. Neighboring property owners within a 250' radius of 76 and 82 Beachside Avenue received a notice letter marked "**Urgent Town Notice Letter**" in red. No comments were received from the public prior to the February 6, 2023 meeting.

Conclusions

23. The Westport Planning and Zoning Commission finds this project is consistent with the policies identified in Section(s) 22a-92(b) (1) and 22-a-92 (b) (2) of the Coastal Area Management Act; that it will not adversely affect adjacent Coastal Resources (General Resources, Shorelands, Beaches and Dunes, Nearshore waters, Coastal Hazard Area) identified in Sections 22-93 (a) (7) of said Act.

24. The Westport Planning and Zoning Commission finds this project is consistent with §11, Residential AAA standards, Site Plan Standards and Objectives listed in §44-5, and the Special Permit standards listed in §44-6, Coastal Area Management standards listed in §31-10, and whether it is in accordance with the 2017 Town Plan of Conservation and Development.

NOW THEREFORE, BE IT RESOLVED that 70 Beachside Avenue: Special Permit/Coastal Site Plan Appl. PZ-25-00636 submitted by Michale Ferdman, for property owned by Michael and Stephanie Ferdman, to replace an existing seawall and replace in kind with a new seawall, armored slope and dune plantings, located in the Residence AAA District, PID H05025002 is **APPROVED** subject to the following modifications:

MODIFICATIONS

1. Conformance to Engineering Department Comments, dated 2/20/26.
2. Conformance to the Certificate of Permission (COP) #202507273-COP on 12/29/25.
3. Conformance to CT DEEP Comments, dated 2/20/25.
4. Conformance to Applicant's Narrative, received 11/26/25.
5. Conformance to Site Plan, prepared by Sound Engineering, dated 2/16/25, revised 2/20/26.

6. Conformance to Existing Conditions Survey, prepared by Dennis Deilus, dated 12/8/17, revised 7/14/21
7. Trees and shrubs on Town property or in the Town right of way shall not be removed, pruned, injured, or defaced.
8. 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.
9. Prior to the issuance of a Zoning Permit for this work, the applicant shall submit and obtain the following:
 - A. Obtain final sign-off from Engineering Department.
10. Prior to the issuance of the Zoning Certificate of Compliance, the applicant shall submit:
 - A. A Certified "As-Built" survey stamped by a registered Engineer or Surveyor;
 - B. A letter from the design engineer that all construction met the specifications in their plans and any pertinent FEMA requirements.
11. 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.
12. All work approved pursuant to this Site Plan shall be completed within 5 years of date of approval, by February 23, 2031.
13. 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 the maximum allowed by statute; and/or 4) enforcement action through a judicial proceeding.

Reasons:

The application as modified is found to be in conformance with all applicable zoning regulations, and no adverse impacts to coastal resources should result with the mitigation implemented as required.

VOTE:

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

Very truly yours,



Paul Lebowitz
Chairman, Planning & Zoning Commission

cc: E. Gill, PE, Engineer I