



**Town of Westport**  
 Planning and Zoning Commission  
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[www.westportct.gov](http://www.westportct.gov)

June 6, 2023

**SPECIAL NOTICE ABOUT PROCEDURES FOR THIS ELECTRONIC MEETING:**

*Pursuant to State law there will be no physical location for this meeting. This meeting will be held electronically and live streamed on [www.westportct.gov](http://www.westportct.gov). This meeting will also be shown on Optimum Government Access Channel 79 and Frontier Channel 6020. The public may attend and offer testimony during the meeting by using the meeting link published on the agenda prior to the meeting. The meeting agenda is available at [www.westportct.gov](http://www.westportct.gov) on the "Meeting List and Calendar" web page. Written comments may also be received prior to the Public Meeting and should be sent to [PandZ@westportct.gov](mailto:PandZ@westportct.gov) by 12:00pm on the day of the meeting if intended to be distributed for consideration by members of the Planning and Zoning Commission. Written comments received after 12:00pm on the day of the meeting will be entered into the record but will not be distributed until the next business day. Meeting materials submitted are available at [www.westportct.gov](http://www.westportct.gov), on the Planning and Zoning Department web page under "[P&Z Pending Applications & Recent Approvals](#)".*

**Instructions to Attend ZOOM Meeting:**

Phone: + 1 646 876 9923 US (New York)

Meeting ID: 849 0712 6171

Passcode: 446877

ZOOM Link: <https://us02web.zoom.us/j/84907126171?pwd=OC9lZGxQZGNqUXRRODNYd3ZZUG8xZz09>

**AGENDA**

**PLANNING & ZONING COMMISSION**

**Monday, June 12, 2023, 7:00pm**

**Remote Meeting**

**I PRE-APPLICATION MEETING**

*(The public may observe, but not participate.)*

- 1. 55-57 Greens Farms Road:** Request by Eric Bernheim Esq. to discuss a Text Amendment to Sec. 26, Design Development District, to permit Medical use in the DDD #4 and for parking relief.

**II PUBLIC HEARING**

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

- 2. 14 Allen Raymond Lane: (Continued from 06/05/23 Meeting)** Special Permit/Site Plan Appl. #PZ-23-00256 submitted by Attorney John Fallon, for property owned by the Westport Weston Family Y, to modify conditions of Res. #08-057 to increase capacity of Camp Mahackeno, and to modify Res. #18-053A to extend allowable hours of operation for the splash pad, giant slide, outdoor pool, and pool house on property in the Residence AAA District, PID #C13002000. *(Must close by 7/10/23)*

Seated on 6/5/23: D. Dobin, P. Lebowitz, M. Cammeyer, N. Cohn, P. Zucaro, J. Bolton, and M. Falk

3. **Text Amendment #828:** #PZ-23-00308 submitted by Richard Redniss of Redniss and Mead to modify §32-26, Adaptive Reuse and Redevelopment of Non-Residential Buildings to Housing, to add language clarifying properties eligible to use this regulation must be split-zoned Residence A and Residence B, and shall contain one or more historic buildings listed on the Westport Historic Resources Inventory that were approved or occupied by a non-residential use. A copy of the proposed text amendment is on file in the Westport Town Clerk's Office, is on file in the Westport Planning and Zoning Office and is attached.

*(Must open by 08/09/23)*

**Application Presentation Time: 10 Minutes**

4. **Text Amendment #830:** #PZ-23-00319 submitted by the Planning and Zoning Commission for modifications to §33-8.4.5 (Allowable Area of Free-Standing Signs), and §33-8.4.7 (Setbacks for Free-Standing Signs), to make accommodations for Bus Shelters. A copy of the proposed text amendment is on file in the Westport Town Clerk's Office and is on file in the Westport Planning and Zoning Office and is attached. *(No deadline for action)*

**Application Presentation Time: 5 Minutes**

### III WORK SESSION

*(The following will be discussed and voted on as time permits. The public may observe the work session but may not participate.)*

#### **New Business:**

- **P&Z Subcommittee Updates**

#### **Old Business:**

- **Approval of May Minutes: 5/22/23**

**Text Amendment #828/PZ-23-00308**Submitted: 5/25/23Received: 6/5/23Public Hearing (*Scheduled for*): 6/12/23

Adopted: \_\_\_\_\_

Effective date: \_\_\_\_\_

**Proposed Text Change, Submitted by Redniss and Mead, May 25, 2023**

**Note:** Proposed new language is shown highlighted and underlined.  
Proposed deletions are shown ~~bracketed and struck through~~.

## **32-26 Adaptive Reuse and Redevelopment of Nonresidential Buildings to Housing**

### **32-26.1 Purpose**

The purpose of this Regulation is to: a. preserve and adaptively reuse historic buildings listed on the Westport Historic Resource Inventory; b. eliminate nonresidential uses located within Residence A and Residence B split zoned districts; c. encourage the increase in the diversity of housing choices; d. mitigate peak period traffic generation; and e. promote the health, safety and general welfare of the community. Notwithstanding any other provision of these regulations, when a proposal is to eliminate and/or abandon a nonresidential use and to substitute with multi-family dwelling use, then the standards of this subsection shall apply. (777, 07/23/2020)

### **32-26.1 Location**

**Properties eligible to adaptively reuse and redevelop nonresidential buildings to housing shall:**

- A. Be split-zoned Residence A and Residence B;**
- B. Contain a non-residential use; and**
- C. Include one or more historic buildings listed on the Westport Historic Resource Inventory .**

### **32.26.2, Permitted Uses Density**

Adaptive Reuse and/or Redevelopment of existing nonresidential buildings to Multi-Family Dwelling units, subject to a Special Permit and Site Plan approval in accordance with §43 and §44 of these Regulations except as otherwise provided herein. (777, 07/23/2020)

### **32-26.3 Accessory Uses**

Accessory buildings, structures and uses including facilities for recreation, maintenance, administration, off-street parking, storage and utilities serving the residential development may be permitted. (777, 07/23/2020)

### **32-26.4 Density**

The maximum number of dwelling units shall not exceed one (1) dwelling unit for each 1,600 square feet of gross floor area within the existing nonresidential building. (777, 07/23/2020)

### **32-26.5 Floor Area**

The total floor area of all proposed uses shall not exceed the existing floor area prior to redevelopment. Mechanical areas and garage parking spaces are exempt from this floor area requirement. Exempt garages may also include storage space. (777, 07/23/2020)

### **32.26.6 Setbacks**

Nonconforming Historic Structures may be allowed to remain and be redeveloped provided that any new building footprint shall comply with the setback requirements of the underlying zoning district.(777, 07/23/2020)

### **32-26.7 Height and Stories**

To encourage compatibility with Historic Structures proposed to remain, redeveloped buildings may be allowed the same height and stories as the existing Historic Structures. Detached garage structures shall not exceed 1 story and 23 feet.(777, 07/23/2020)

### **32-26.8 Coverage (See Definitions)**

Building Coverage shall not exceed thirty (30%) percent and Total Coverage shall not exceed seventy (70%) percent.(777, 07/23/2020)

### **32-26.9 Signs**

Signs shall be permitted in accordance with §33 of the Supplementary Regulations except where an Historic Structure is to remain, a free-standing sign shall be a minimum of five (5) feet from any property line.(777, 07/23/2020)

### **32-26.10 Parking**

Off-street parking shall be provided in accordance with §34 of the Supplementary Regulations, except drive aisles shall not be less than twenty-four (24) feet in width.(777, 07/23/2020)

### **32-26.11 Landscaping, Screening and Buffer Areas**

Where an Historic Structure is to remain on a site limited by easements for drainage, sanitary sewers, and/or utilities, and where existing landscaped areas are being increased by not less than 15% of the site area, a front landscaping buffer of not less than twenty-five (25) feet shall be maintained along site frontage(s) not occupied by a building. A comprehensive landscaping plan shall be approved by the Planning & Zoning Commission, where the Commission makes a finding that such design can be reasonably shown to moderate heat, noise, glare and accumulation of dust, to shade, to provide privacy from noise and visual intrusion and to prevent the erosion of the soil, excess run-off of drainage water and the consequent depletion of the ground water table and the pollution of water bodies, watercourses, wetlands, and aquifers and to guide the safe circulation of cars and people to parking lots.(777, 07/23/2020)

### **32-26.11.1**

Refuse collection areas shall be provided, screened, supplied with covered receptacles, and conveniently located to serve all dwelling units. (777, 07/23/2020)

### **32-26.11.2**

Mail boxes shall be provided, covered from the elements and conveniently located to serve all dwelling units. (777, 07/23/2020)

## **32-26.12 Utilities**

### **32-26.12.1**

Utilities and conduits within the lot shall be underground. (777, 07/23/2020)

### **32-26.12.2**

All buildings shall be connected to a public water supply, suitable power supply and a public sanitary sewer line. (777, 07/23/2020)

## **32-26.13 Architectural Design**

Special Permit applications shall be referred to the Architectural Review Board for recommendations. (777, 07/23/2020)

## **32-26.14 Affordability Requirement**

Prior to a final Zoning Certificate of Compliance (ZCC) for the development, the equivalent of 20% of the proposed units shall be provided as offsite affordable housing including an affordability plan to be reviewed and approved by the Commission. Such units shall be affordable to households whose income does not exceed 80% of the State Median Income as provided by CT General Statutes §8-30g. Fractional units shall be rounded up. When approving the equivalency, the Planning and Zoning Commission shall evaluate the number, location, and design of such units. If all conditions of the offsite affordable housing are not satisfied at the time a final ZCC is being sought, the Planning and Zoning Commission may require that some or all of the required affordable housing be provided onsite. (777, 07/23/2020)

**Text Amendment #830/PZ-23-00319**

Submitted: 5/31/23

Received: 6/5/23

Public Hearing (Scheduled for): 6/12/23

Adopted: \_\_\_\_\_

Effective date: \_\_\_\_\_

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**Proposed Text Change, Submitted by the Planning and Zoning Commission, 5/31/23**

Deleted language is [~~struck out and in brackets~~]; New language is **underlined and highlighted**.

## **§33 SIGNS**

### **33-8 Permanent Signs Permitted in Other Non-Residence Districts: (RBD, GBD, GBD/S, GBD/SM, GBD/R, HSD, BPD, DDD, BPD, BCD & BCD/H)**

The following signs are permitted in all Non-Residence Districts other than the RPOD, RORD, CPD and HDD Districts, subject to §33-2 and the following conditions:(819, 01/12/2023)

#### **33-8.4 Free-Standing Signs**

All free-standing signs shall be subject to ARB review and shall comply with the following requirements:

##### **33-8.4.1**

Only one (1) free-standing sign shall be permitted on a lot provided that it has at least one hundred (100) feet of street frontage on one street.

##### **33-8.4.2**

The free-standing sign shall identify the name of the business(es) occupying the lot and shall include the street address number at least 4 inches in size.

##### **33-8.4.3**

The sign shall be supported by a free-standing, self-supporting structure that is erected on the ground and is not attached to a building. The width of the support structure cannot be more than 25% of the horizontal dimension of the free-standing sign, and may be divided into one or more support legs, or the support structure will be included in calculating the total surface area of the sign

##### **33-8.4.4**

No free-standing sign shall exceed a height of twenty (20) feet or extend above the lowest point of the main roof line of any building, whichever is less, as measured from the ground to the top of the sign.

##### **33-8.4.5**

All free-standing signs except for a unified shopping center shall not exceed a total surface area of

thirty-two (32) square feet. The total allowable surface area permitted is sixty-four (64) feet on properties where a Bus Shelter is located to provide way-finding and to incentivize a new transit facility. A unified shopping center sign shall not exceed a total surface area of one hundred (100) square feet. The sign area for free standing signs is not included in the sign area as defined in §33-7.1.

#### **33-8.4.6**

No sign shall be located within fifty (50) feet of the boundary of a Residence District.

#### **33-8.4.7**

All signs shall be at least fifteen (15) feet from any property line. The minimum setback may be reduced to zero (0) feet on properties where a Bus Shelter is located to make accommodations for a new transit facility, provided sight lines are not inhibited.