



WESTPORT CONNECTICUT

PATRICIA H. STRAUSS

TOWN CLERK

December 17, 2009

Hadley C. Rose, Moderator
Representative Town Meeting
14 St. George Pl
Westport, CT 06880

RE: Agenda Item Request pursuant to Section C10-4 of the Town Code

Dear Hadley:

Today, a petition was delivered from at least 20 electors of the Town of Westport, for the RTM to place an item on an upcoming Representative Town Meeting agenda, pursuant to Section C10-4 of the Town Code, involving a request to review the action taken by the Westport Planning & Zoning Commission on December 3, 2009 on Amendment 601, to modify §30 of the Westport Zoning Regulations, Historic Design District (HDD). The lead petitioners are Dina Berger and C. C. Wong. A copy of the petition pages, a copy of the amended text and a copy of the legal notice are enclosed.

At least 20 electors' names have been verified for acceptance of this petitioned request. Pursuant to Section C10-4 of the Town Code, please consider placing this matter on the agenda of the RTM at a future meeting to be held within 30 days after receipt of the petition.

Sincerely,

Patricia H. Strauss
Town Clerk

Cc: Gordon F. Joseloff, First Selectman
Ira Bloom, Town Attorney
Gail Kelly, Assistant Town Attorney
Laurence Bradley, Director, Planning & Zoning
Matthew Mandell, Chair, RTM Planning & Zoning Committee

To: Town Clerk, Westport CT
 From: Dina Berger and C. C. Wong
 Re: Petition to Review Planning & Zoning Commission Decision

December 17, 2009

We are residents of and registered voters in Westport CT. C.C. Wong owns and operates a retail business in Westport, the Mandarin Collection, 18 Riverside Avenue. Dina Berger also operates a retail business in Westport, The Age of Reason, 19 Post Road West. Both stores are located close to Westport's Historic Design District, the District in which the Inn at National Hall is situated.

The following is a Petition, signed by 20 or more electors of Westport (registered voters), including each of us. We and those signatories file this Petition on and as of this 17th day of December, 2009 with the Westport Town Clerk.

Dina Berger
 Dina Berger

C.C. Wong
 C.C. Wong

PETITION FOR REVIEW UNDER CHAPTERS 10-4A AND 5-6C OF WESTPORT'S TOWN CHARTER

The undersigned, each of whom is a registered voter in the Town of Westport, hereby petition for review by the Westport Representative Town Meeting the action of the Westport Planning and Zoning Commission in amending Section 30 of Westport Planning and Zoning Regulations as set forth in Amendment #601 adopted on December 3, 2009 and noticed on December 11, 2009 at page B4 of the Westport News.

Name (print)	Signature	Address in Westport
✓ Dina Berger	<u>Dina Berger</u>	<u>6 BATHERRY COMMONS</u>
✓ Cheung C. Wong	<u>Cheung C. Wong</u>	<u>18 OLD HILL Rd</u>
✓ Don Bergmann	<u>Don Bergmann</u>	<u>32 Sherwood Drive</u>
✓ Cheryl Rosenfield	<u>Cheryl Rosenfield</u>	<u>39 Sherwood St.</u>
✓ ROBERT ROSENFELD	<u>Robert Rosenfeld</u>	<u>39 SHERWOOD ST.</u>
✓ RONALD T. BENIZIO	<u>Ronald T. Benizio</u>	<u>14 CONANT HILL AVE</u>
✓ JOHN RIZZI	<u>John Rizzi</u>	<u>21 BUNAVIST DRIVE</u>
✓ Nick Straight	<u>Nick Straight</u>	<u>19 Sherwood D.</u>

I, Colleen Tarpey, Assistant Town Clerk of the Town of Westport, certify that this petition page was filed with me on December 17, 2009, and that it contains 8 signed names of electors, whose names appear on the last completed registry list of this town.

Colleen Tarpey, ASST.
 Signed (Assistant Town Clerk)

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PETITION TO REVIEW P&Z AMENDMENT 601 (continued)

2009 DEC 17 AM 11:21

Name (print) Signature Address in Westport

Moved -

signed twice -

- ✓ PATRICK Bagnale Patricia Bagnale 102 Red Rd. Westport
- ✓ Rose Marie Colletti Rose Marie Collette 123 Regents Park, Westport
- ✓ Mary Basili Mary Basili 37 Whitney Glen Ave Westport
- ✗ MARILYN KLEMISH Marilyn Klemish Sturges Hwy, Westport
- ✓ PEARL BAER Pearl Baer 4 BAER TRAIL-WESTPORT
- ✓ Joan Baer Joan Baer 10 DAWN DR WESTPORT CT
- ✓ Helen Cusa Helen Cusa 5 Round Pond Rd Westport
- ✓ Sandy Edwards SANDY EDWARDS 19 ENGLAND WEST CT 06880
- ✓ Helena & Kurtz Helena Kurtz 37 RICHMOND BLVD WESTPORT 06880
- ✓ JILL CLARK Jill Clark 20 LINCOLN ST. WESTPORT 06880
- ✓ Teresa Cuseo Teresa Cuseo 1690 POST RD EAST WESTPORT 06880
- ✗ C.C. WONG C.C. WONG 18 OLD HILL Rd
- ✓ Ann Wong Ann L. Wong 15 OLD HILL Rd
- ✓ Markley Rizzi Markley Rizzi 21 Buena Vista Dr.
- ✓ Ruth Fellows Ruth Fellows 16 Sherwood Dr.
- ✓ Erick Sher Erick Sher 10 Camp Hill Dr.
- ✓ Victor Chan Victor Chan 37 Sherwood Dr.
- ✓ Emily Chan Emily Chan 37 Sherwood Drive
- ✓ Sherita Bergman Sherita Bergman 30 Sherwood DR
- ✓ Memi Yacenda Memi Yacenda 4 Buena Vista Dr.

I, Colleen Tarpey, Assistant Town Clerk of the Town of Westport, certify that this petition page was filed with me on December 17, 2009, and that it contains 18 signed names of electors, whose names appear on the last completed registry list of this town.

Colleen Tarpey, Asst
Signed (Assistant Town Clerk)

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RECEIVED FOR RECORD
2009 DEC 10 P 1:33
VOL. _____ DATE _____
C. [Signature]
[Signature]

Amendment #601
Submitted: 8/25/09
Received: 9/3/09
Revised: 9/25/09
Public Hearing: 10/1/09
Adopted: 12/3/09
Effective date: 1/4/10

Section 30, Historic Design District (HDD)

30-1 Purpose

The purpose of the Historic Design District is to:

- (a) prevent the potential loss of significant exterior historic factors and public buildings;
- (b) preserve the visual character and appearance of historic buildings that are on the National Register of Historic Places;
- (c) reduce traffic impacts on local streets and intersections;
- (d) provide additional parking;
- (e) discourage traffic generation and parking demand during peak periods on the local streets;
- (f) encourage residential land uses and allow office uses above the first floor; and
- (g) encourage visual and physical access to and along the waterfront.

Such special purpose districts should be limited to areas where buildings are on the National Register, where areas are served by public utilities, where areas are served by mass transit, where areas have frontage on two State Highways, and where areas have frontage on the Saugatuck River and areas where buildings are recommended to be preserved by the HDC.

30-2.2 Special Permit Uses

(h) Business, professional, insurance, real estate and other offices, excluding healthcare professional and medical ~~[on the upper floors only (not ground floor) and not to exceed 10%]~~, provided that not less than 20% of the sum of gross floor area of the HDD [-] shall be reserved for retail or restaurant use located on ground floor.



WESTPORT CONNECTICUT

PLANNING & ZONING
TOWN HALL, 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 341-1030 • (203) 341-1079
(203) 454-6145 - fax

To be inserted in the
Westport News
On: December 11, 2009
Friday

LEGAL NOTICE OF DECISION

Notice is hereby given that at a meeting held on December 3, 2009, the Westport Planning and Zoning Commission took the following action:

1. **Adopted: Amendment #601**, Appl. #09-077 by Lawrence Weisman for a text amendment to the Westport Zoning Regulations to modify §30 Historic Design District (HDD) to delete language that prohibits office use on the ground floor and deletes language on maximum percentage of office space. The text adds language that requires not less than 20% of the floor area in the HDD be reserved for retail and/or restaurant use located on the ground floor. **Effective date: January 4, 2010**

The above items were approved/granted with conditions, which are on file with the Planning and Zoning Office in Town Hall at 110 Myrtle Avenue.

Dated at Westport, Connecticut this 11th day of December, 2009
Ron Corwin, Chairman, Planning and Zoning Commission

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Ron Corwin
TOWN CLERK