

**PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES
SEPTEMBER 8, 2020, 7:15 P.M.
HELD VIRTUALLY VIA INTERNET AND PHONE**

PAGE 20-26

Present: Ken Edgar, Chairman; Don Saltzman, Vice Chairman [7:38 p.m.]; Jane Connolly, Sally Korsh, Harry Falber, Britta Lerner, Richard Wolf

Also Present: Tracy Kulikowski, Land Use Director; members of the public

Digitally Recorded [held virtually due to the COVID-19 State of Emergency]

7:18 p.m. Chairman Edgar called the meeting to order.

DISCUSSION/DECISION: MODIFICATION OF MAY 4, 2020 LOT DEVELOPMENT PLAN APPROVAL, 142 STEEP HILL ROAD [JON ROGERS] [20-05]

Jon Rogers, applicant and property owner, came before the members to present the modification to the original Lot Development Plan approved by the Commission on May 4, 2020. Mr. Rogers discussed the proposed amendments which include a larger-size home and a marginal change in the location of the dwelling. The applicant confirmed that these changes conform to set-back requirements. The members reviewed these changes on a site plan and asked questions. A discussion ensued.

Sally Korsh made a motion that the Commission approve the Modification of the May 4, 2020 Lot Development Plan Approval, 142 Steep Hill Road, as discussed and presented to the Commission and as depicted on the Plot Plan, prepared by J. Edwards & Associates, LLC, dated November 13, 2019 and last revised September 1, 2020, and that the conditions of the May 4, 2020 Lot Development Plan Approval remain in effect. Seconded by Harry Falber. The applicant discussed the fencing that would be erected and the dwelling's set-backs from the property lines. Hearing no further discussion, all in favor, the motion carried (6-0). Vice Chairman Saltzman absent.

DISCUSSION CON'T: PETITION TO AMEND THE ACCESSORY APARTMENT REGULATIONS, SPECIFICALLY SECTIONS 345.4 AND SECTION 610 (DEFINITIONS) OF THE WESTON ZONING REGULATIONS, TO INCREASE THE MAXIMUM SIZE OF ACCESSORY APARTMENTS. PETITION MODIFIED TO INCREASE SIZE OF ACCESSORY APARTMENTS FROM 800 SQUARE FEET IN FLOOR AREA TO 900 SQUARE FEET IN HABITABLE FLOOR AREA AND TO INCLUDE A DEFINITION OF HABITABLE SPACE [PETITION BY JOSEPH AND LOIS RYAN, 13 BERNHARD DRIVE] [20-03]

The Commission reviewed the September 8, 2020 document that modified the petition received on May 4, 2020. Chairman Edgar reviewed the legal analysis of the effect of the modifications. The change in square footage from the originally proposed 1000 square feet to 900 square feet (constituting a 50% reduction in the originally proposed increase in permitted square footage) and the inclusion of "habitable space" (replacing "floor space" as the applicable measuring standard) represent a material change to the original petition. As such, the modified petition should be treated as a new petition that would supersede the May 4th petition, and the May 4th petition would be considered to be withdrawn. One effect of the modification being treated as a new petition is that the required time period by which a public hearing must be held would begin on September 8, the date that the

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PAGE 20-27

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Commission first accepted and began to consider the modified petition. Chairman Edgar suggested to the Ryans that they come back in October to discuss their new petition and discuss with the Commission a mutually acceptable date to convene a public hearing. Chairman Edgar stated that this suggestion would give the members adequate time to review the new petition. The applicant agreed and confirmed that the petition received on May 4, 2020 is replaced with the new proposal, dated September 8, 2020. This matter will be placed on the agenda for the Commission's regular October meeting.

DISCUSSION/DECISION: SET DATE FOR PUBLIC HEARING ON THE PETITION TO AMEND THE ACCESSORY APARTMENT REGULATIONS [PETITION BY JOSEPH AND LOIS RYAN, 13 BERNHARD DRIVE] [20-03]

No discussion and no decision made, in light of the foregoing.

DISCUSSION CON'T/DECISION: CREATION OF A VILLAGE DISTRICT IN WESTON TOWN CENTER - PROCESS FOR CONSIDERATION OF VILLAGE DISTRICT REGULATIONS AND ELEMENTS OF VILLAGE DISTRICT REGULATIONS

Chairman Edgar stated that the Town is awaiting a response to the grant support applied for in August with regards to Preservation Connecticut's Vibrant Communities Initiative.

APPROVAL OF MINUTES: JULY 27 AND AUGUST 12, 2020

Hearing no comments, the Commission accepted the Minutes of July 27, 2020 and August 12, 2020.

OTHER BUSINESS: none

Jane Connolly made a motion that the Commission adjourn the meeting. Seconded by Chairman Edgar. All in favor, the motion carried (7-0).

7:56 p.m. Meeting adjourned

Submitted by: AnnMarie Fontana, Admin. Assistant