

**PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES
OCTOBER 5, 2020, 7:15 P.M.
HELD VIRTUALLY VIA INTERNET AND PHONE**

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Present: Ken Edgar, Chairman; Don Saltzman, Vice Chairman; 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]

7:16 p.m. Chairman Edgar called the meeting to order.

DISCUSSION/DECISION: REQUEST FOR LOT DEVELOPMENT BOND RELEASE; 7 GREY FOX LANE, LOT 31, OLD FARM HILLS SECTION 2 RESUBDIVISION [ALBA CONSTRUCTION, LLC]

The Commission reviewed the recommendation by John Conte, Town Engineer, for a bond release of the sedimentation and erosion control estimate associated with the Lot Development Plan Approval of 2017. Mr. Conte's letter of September 14, 2020 recommends a release of \$8,624.00, citing that the work has been satisfactorily completed.

Jane Connolly made a motion that the Commission approve the request for a lot development bond release of \$8,624.00, 7 Grey Fox Lane, Lot 31, Old Farm Hills Section 2 Resubdivision [Alba Construction, LLC]. Seconded by Harry Falber. Hearing no further discussion and a roll call vote, the motion carried (6-0). Sally Korsh absent from the roll call vote.

DISCUSSION/DECISION: APPLICATION FOR LOT DEVELOPMENT PLAN APPROVAL; 14 MICHAELS WAY, LOT 26, BYEBROOK SUBDIVISION [GREG ALTSCHULER, 8 FERDINAND PARTNERS, LLC] [20-08]

Greg Altschuler, representing the property owner, came before the Commission to present the application. Mr. Altschuler discussed the proposal for construction of a four bedroom, three bathroom single-family residence with a detached garage and related site work which has Westport-Weston Health Department Approval. Ms. Kulikowski, Land Use Director, confirmed that the Fire Marshal has reviewed the proposal and has stated that water supply, obtainable from dry hydrants located within the subdivision and nearby on Newtown Turnpike, would be adequately available for fire suppression. The Commission reviewed the site development plan and schematic designs. A discussion ensued. The members reviewed and amended a draft approval.

Jane Connolly made a motion that the Commission approve the application for a Lot Development Plan Approval, with conditions; 14 Michaels Way, Lot 26, Byebrook Subdivision [Greg Altschuler, 8 Ferdinand Partners, LLC] as presented to and amended by the Commission. Hearing no further discussion and a roll call vote, all in favor, the motion carried (7-0).

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DISCUSSION/DECISION: APPLICATION FOR FLOOD ZONE DEVELOPMENT PERMIT, 306 LYONS PLAIN ROAD, CONFIRMATION OF COTTAGE ELEVATION, INTERIOR RENOVATIONS AND SEPTIC SYSTEM [STEVEN & KATHRYN KNAPP] [20-09]

Steven Knapp, property owner, came before the Commission to discuss his application for a flood zone development permit associated with the existing cottage. Mr. Knapp discussed the proposal to replace the existing septic system for the cottage and to bring all other existing renovations to the cottage into zoning and building compliance.

Ms. Kulikowski discussed the Land Use Department's history of the property, including the Building Department's 2009 stop-work order for demolishing and rebuilding the cottage without proper approvals, the Planning & Zoning Commission's [PZC] denial for rebuilding the cottage, pursuant to the State statutes at that time, and the subsequent appeal to the Zoning Board of Appeals [ZBA] that overruled the PZC decision. The property owner at that time did not complete the flood zone development permit process and the current owner who purchased the property in 2017 is attempting to complete that process. Ms. Kulikowski stated that the cottage has been raised to a level above the base-flood elevation and that the flood zone development certification is forthcoming from Mr. Knapp's structural engineer. The members asked questions and a discussion ensued.

Alan Shepard, Professional Engineer of Nowakowski, O'Bymachow, Kane & Associates, joined the discussion. The Commission asked questions about the cottage's original and current footprint and requested details on its water source and related utilities.

Jane Connolly stated that she would like to continue to review the current plans and the property's history. Richard Wolf commented that he would like time to review the ZBA public hearings. Chairman Edgar and the remaining members agreed that more time would be needed to make a decision on this application. This matter will be placed on the agenda for the Commission's regular November meeting.

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]

Chairman Edgar stated that the Commission has discussed this matter at several meetings and the Commission agreed that the next step is to schedule a public hearing.

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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]

The Commission discussed setting a date for a public hearing.

Chairman Edgar made a motion that the Commission schedule a public hearing, via internet and phone, on Saturday, December 5, 2020 at 10:00 a.m. on the petition to amend the Accessory Apartment Regulations [petition by Joseph and Lois Ryan, 13 Bernhard Drive]. Seconded by Jane Connolly. Hearing no further discussion and a roll call vote, the motion carried (6-0). Vice Chairman Saltzman absent from the roll call vote.

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 continues to await a response to the grant support applied for in August with regards to Preservation Connecticut's Vibrant Communities Initiative. The members commented on the future discussion process for this matter.

APPROVAL OF MINUTES: SEPTEMBER 8, 2020

Hearing no comments, the Commission accepted the Minutes of September 8, 2020.

OTHER BUSINESS: none

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

8:30 p.m. Meeting adjourned

Submitted by: AnnMarie Fontana, Admin. Assistant