

**PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES
NOVEMBER 2, 2020, 7:15 P.M.
HELD VIRTUALLY VIA INTERNET AND PHONE**

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Present: Ken Edgar, Chairman; Don Saltzman, Vice Chairman; Sally Korsh, Harry Falber, Britta Lerner, Richard Wolf

Not Present: Jane Connolly

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

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

7:20 p.m. Chairman Edgar called the meeting to order.

DISCUSSION/DECISION CONT'D: 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. The proposal is associated with the pre-existing and nonconforming cottage which, as part of its history, had been demolished and rebuilt. The members reviewed the Water Line Sketch Map prepared by Alan Shepard, Professional Engineer of Nowakowski, O'Bymachow, Kane & Associates, dated October 29, 2020, which indicates that the water source for the cottage is from the existing main dwelling. The map depicts the approximate location of the pipe between the two structures. The members asked questions and a discussion ensued. The applicant stated he is in the process of hiring a structural engineer to inspect the property and produce a Flood Zone Development Certification that should indicate that improvements are in accordance with standard engineering practices and that they comply with Weston's Floodplain Management Regulations. The Commission reviewed the Elevation Certificate prepared by Michael O'Bymachow, Land Surveyor of N.O.K. & Associates, dated September 22, 2020, which certifies that the cottage has been raised to the required level above the base-flood elevation. Ms. Kulikowski stated that The Westport/Weston Health District has approved the cottage's septic system replacement. The members discussed Connecticut General Statutes, Section 8-2, which clarifies that the demolition or deconstruction of a nonconforming use, building or structure shall not by itself be evidence of such property owner's intent to not reestablish such use, building or structure. The Commission continued to review the application and the applicable documents. Discussion continued. Ms. Kulikowski stated that Mr. Shepard will amend the Water Line Sketch Map to show that the water pipe is ½ inch in diameter and he will confirm that such diameter size is sufficient for the size of the cottage. Mr. Shepard recommends that the property owner confirm that should the water line be too close to the septic tank and/or leaching system, then the water line should be relocated, if necessary, as directed by the Health District. The members reviewed and amended a draft approval.

Richard Wolf made a motion that the Commission approve, with conditions, the application for a Flood Zone Development Permit, 306 Lyons Plain Road, as presented to and amended by the Commission. Seconded by Sally Korsh. Hearing no further discussion and a roll call vote, the motion carried (6-0). Jane Connolly absent.

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DISCUSSION/DECISION: APPLICATION FOR FLOOD ZONE DEVELOPMENT PERMIT, 50 MERRY LANE, ADDITION OF GARAGE AND DECK ABOVE, DRIVEWAY ADDITION AND ASSOCIATED LANDSCAPING [HARRY TOPALIAN (OWNER), BRYAN NESTERIAK, P.E., B&B ENGINEERING, LLC (AGENT)] [20-10]

Bryan Nesteriak, Professional Engineer and Land Surveyor, of B&B Engineering, LLC, representing the property owner, came forward to present the application for a Flood Zone Development Permit. The proposal includes an addition to the existing garage with a deck above, an addition to the existing driveway and associated landscaping. Mr. Nesteriak stated that the proposed additions are located within the FEMA defined Flood Zone and qualify as a substantial improvement, thus, the entire dwelling will need to comply with the FEMA Regulations. Mr. Nesteriak stated that there will be regrading of the yard to provide compensatory storage in compliance with Weston's Floodplain Management Regulations. The Commission reviewed the architectural drawings prepared by John Clements, which depict detailed designs. The Westport/Weston Health District and Conservation Commission have approved the proposal. Mr. Clements joined the discussion between the members, Mr. Nesteriak and Ms. Kulikowski. The Commission reviewed the Flood Zone Development Certification completed and signed by Mr. Nesteriak, dated October 23, 2020. Discussion continued. The members reviewed and amended a draft approval. Ms. Kulikowski confirmed that the submitted plans indicate that the base-flood elevation requirements are met. Ms. Kulikowski will research whether flood vents are required in the existing garage.

Sally Korsh made a motion that the Commission approve, with conditions, the application for a Flood Zone Development Permit, 50 Merry Lane, as presented to and amended by the Commission. The approval is subject to the Land Use Director confirming with the CT National Flood Insurance Program Coordinator that the proposal complies with the required flood vents. Seconded by Richard Wolf. Hearing no further discussion and a roll call vote, the motion carried (6-0). Jane Connolly absent.

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 did not obtain the grant support applied for in August with regard to Preservation Connecticut's Vibrant Communities Initiative. The Commission discussed alternatives to the process for consideration of Village District Regulations. Chairman Edgar commented on the possibility of a study, produced by Milone & MacBroom, Inc., that discusses the potential for affordable housing in the proposed Village District. The process for drafting proposed Village District Regulations was discussed. The Commission also discussed the process for developing architectural design aspects of the proposed Village District. Chairman Edgar stated the importance of following through on the Commission's commitment to the Town to provide a Village District, as outlined in the 2020 Town Plan of Conservation and Development. The Commission agreed on the significance of community engagement throughout this process. Discussion continued.

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APPROVAL OF MINUTES: OCTOBER 5, 2020

Hearing no comments, the Commission accepted the Minutes of October 5, 2020.

OTHER BUSINESS: none

Britta Lerner made a motion that the Commission adjourn the meeting. Seconded by Richard Wolf. The motion carried (6-0). Jane Connolly absent.

8:20 p.m. Meeting adjourned

Submitted by: AnnMarie Fontana, Admin. Assistant