

**PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES
MARCH 1, 2021; 7:15 P.M.
HELD VIRTUALLY VIA INTERNET AND PHONE**

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Present: Ken Edgar, Chairman; Jane Connolly, Vice Chairwoman; Don Saltzman, Sally Korsh, Harry Falber, Richard Wolf

Not Present: Britta Lerner

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

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

7:19 p.m. Chairman Edgar called the meeting to order.

DISCUSSION/DECISION CON'T: REFERRAL FROM CODE ENFORCEMENT OFFICER, ZONING PERMIT APPLICATION; ACE TIRE & AUTO CENTER OF WESTON; ADDITIONAL WORKSPACE BEHIND BUILDING; 190 WESTON ROAD [RICH DESROCHERS] [21-02]

The Commission reviewed and discussed a memo from Peter Gelderman, Town Attorney, dated March 1, 2021, which provided the members with a written analysis concerning the zoning permit application. Chairman Edgar summarized Attorney Gelderman's legal opinion that the canvas hoop and its car-lift are not an expansion of a nonconforming use because the applicant's business conforms to the uses permitted for this property. Attorney Gelderman's memo stated that the canvas hoop appears to have existed since at least 2013 and, consequently, is deemed to be a legal nonconforming structure, and that the car-lift which is secured within the canvas hoop should not be considered a separate structure.

Sally Korsh made a motion that the Commission approve the request for a zoning permit as presented to the Commission; Ace Tire & Auto Center of Weston; Additional Workspace Behind the Building; 190 Weston Road [Rich Desrochers]. Seconded by Harry Falber. Hearing no further discussion and a roll call vote, all in favor, the motion carried (6-0). Britta Lerner absent.

DISCUSSION/DECISION: APPLICATION FOR LOT DEVELOPMENT PLAN APPROVAL; 85 WESTON WOODS WAY, LOT 4 OF THE WESTON WOODS SUBDIVISION [MJL REALTY INVESTMENTS, LLC, OWNER, AND MARK P. OCHMAN, P.E., OCHMAN ASSOCIATES, LLC] [21-03]

Mark Ochman, professional engineer, of Ochman Associates, Inc., and representing MJL Realty Investments, LLC, came before the Commission to discuss the application. The property is 2.1 acres and is located at the end of the cul-de-sac of Weston Woods Way. The applicant is proposing to construct a 2.5 story, single-family residence, driveway, front porch, rear patio and related site improvements. The property will be served by an onsite well and septic system. The proposed site plans, prepared by Ochman Associates, Inc., dated July 1, 2019 and last revised January 14, 2021, were reviewed. Mr. Ochman stated that the plans have been approved by the Westport/Weston Health District and the Weston Conservation Commission. The members asked questions and a discussion ensued. The plans for the home's sprinkler system will be submitted to the Town Fire Marshal for his review and approval. The Commission reviewed a draft approval and discussion continued.

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CONT'D

Vice Chairwoman Connolly made a motion that the Commission approve the application for a Lot Development Plan Approval, with conditions; 85 Weston Woods Way, Lot 4 of the Weston Woods Subdivision [MJL Realty Investments, LLC, owner], as presented to the Commission and discussed on the record. Seconded by Sally Korsh. Hearing no further discussion and a roll call vote, all in favor, the motion carried (6-0). Britta Lerner absent.

RECEIPT OF APPLICATION: PETITION TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP TO CREATE A CENTRAL VILLAGE DISTRICT OVERLAY ZONE ON THE FOLLOWING PROPERTIES: 48 NORFIELD ROAD, 46 NORFIELD ROAD AND 176 WESTON ROAD [PETITION BY WESTON VENTURES LLC, JESS DIPASQUALE, MEMBER, OWNER OF 48 NORFIELD ROAD, AND CORY ATTRA, P.E., GAP MOUNTAIN CONSULTING ENGINEERS] [21-04]

Jess DiPasquale, property owner of 48 Norfield Road, and Cory Attra, professional engineer, came before the Commission and presented the petition. Mr. DiPasquale discussed his intent and goals in the creation of a proposed Central Village District and that this petition would serve as an initial step in encouraging commercial development in a central location while retaining the history and character of the Town. He spoke about the petition's objectives to help satisfy the community's enthusiasm for services and amenities, while the Commission works concurrently with consultant, SLR Corporation, to prepare a Village District in the Weston Town Center. Mr. Attra presented the overall plan and the general organizational structure of the petition. Discussion ensued between Mr. DiPasquale and the members. Chairman Edgar suggested that the Commission study and digest this petition. He stated that the process of preparing a Village District, which encompasses the properties in this petition, is currently underway with consultant, SLR Corporation, and as a consequence there could be two concurrent and potentially inconsistent proposals, and that the Commission will need to consider this as it studies this petition. Chairman Edgar stated, for the record, that the Commission received an email dated March 1, 2021, from Carmine and Sandra Cenatiempo, property owners of 46 Norfield Road, which stated that they are not part of this application and that a letter of authorization is required from the property owners of 46 Norfield Road and from 176 Weston Road. The Cenatiempos came forward and stated that, although they have had informal discussions with Mr. DiPasquale, they are not part of this application and that, at this time, will take no position on this petition until they become more well-informed. Ms. Kulikowski provided the Commission with a summary of the public hearing process and notice requirements. Chairman Edgar stated that the applicant's petition is being brought forward at a time that is concurrent with SLR Corporation's preparation of a Village District and therefore should be forwarded to SLR for analysis. He stated that SLR should review the petition for potential conflicting sets of proposed regulations. The Commission agreed to receive the petition and to study and discuss it in greater detail at its regular meeting in April. No public hearing date was set.

DISCUSSION CON'T: PREPARATION OF AFFORDABLE HOUSING PLAN WITH SLR CORPORATION

Chairman Edgar stated that the Commission will have a special meeting on March 8th at 10:00 a.m. and SLR will present its assessment on affordable housing needs in Weston and provide draft questions for a town-wide survey that will focus on housing needs.

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**DISCUSSION CON'T: PREPARATION OF VILLAGE DISTRICT IN WESTON TOWN
CENTER WITH SLR CORPORATION**

Chairman Edgar stated that the preparation of a Village District will be synergistic with the preparation of an affordable housing plan. He stated that to achieve a comprehensive effort, other Town committees may want to share valuable information on affordable housing and that they could be helpful in promoting community engagement. Richard Wolf suggested that the Commission set a meeting schedule to discuss the preparation of an affordable housing plan and the members agreed to do so at the March 8th meeting.

APPROVAL OF MINUTES: FEBRUARY 1, 2021 AND FEBRUARY 10, 2021

Hearing no comments, the Commission accepted the Minutes of February 1, 2021 and February 10, 2021.

OTHER BUSINESS: none

Vice Chairwoman Connolly made a motion that the Commission adjourn the meeting. Seconded by Richard Wolf. All in favor, the motion carried (6-0). Britta Lerner absent.

8:09 p.m. Meeting adjourned

Submitted by: AnnMarie Fontana, Assistant