

# PLANNING & ZONING COMMISSION MEETING MINUTES

May 2, 2022; 7:15 PM

HELD VIRTUALLY VIA INTERNET AND PHONE

Page# 22-13

**Present virtually:** Sally Korsh, Chair; Ken Edgar, James Carlon, Richard Wolf, Megan Loucas, Alexander Burns and Michael Reiner

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

Ms. Korsh called the meeting to order at 7:20PM

**Public Hearing and Discussion/Decision: Application for Subdivision Approval, 48 Kettle Creek Road, Daniel Offutt Subdivision [Towne Building & Development LLC, Tom Kelley] [22-03]** Tom Kelley, Principal, Towne Building and Development, Mr. Kelly briefly described his plan for two 5,000 square foot homes on Lot 1 at 2.35 acres, and Lot 2 at 2.85 acres.

**Comments from members of the public were heard from:**

- Jonathan Haines, Weston Resident of 61 Kettle Creek, expressed his concern to ensure that these current plans for changes don't exacerbate current flooding issues in his neighborhood. Mr. Kelly confirms there is a pond on lot #2 about 18 inches below grade. The intention is to clean up the pond to use as fire retention. Mr. Edgar questions if the discussion of runoff is in Planning and Zoning purview, as our current focus is whether these two lots can be subdivided. Ms. Korsh confirms that the matter before Planning & Zoning is if this property can be subdivided.
- Margaret Wirtenberg, former Weston Resident, stated that currently, subdivision regulations refer to zero incremental runoff.

Mr. Edgar moved to close the public hearing. Mr. Burns seconded this. The motion carried unanimously (7-0)

The commission reviewed the Draft Subdivision approval with conditions. Mr. Carlon made a motion to approve the application for subdivision approval 48 Kettle Creek Road, Daniel Offutt Subdivision in accordance with conditions as amended, Mr. Edgar seconded all in favor, motion carries unanimously (7-0).

Ms. Kulikowski read the legal notice for the public hearing into the record.

**Public Hearing and Discussion/Possible Decision: P&Z Commission's proposal to amend the Accessory Apartment regulation, Section 345 (Apartments) of the Weston Zoning Regulations (also known as Section 240-34 of the Weston Town Code) [22-05]** Mr. Edgar explained that Weston's Plan of Conservation and Development, dated June 2020, identified the need for diversification of housing in Weston. Mr. Edgar gave a brief overview of the Affordable Housing Plan, adopted July 2021, and stated after a two year period, the commission will undertake a new review to see if any modifications to the new apartment regulations are appropriate.

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Page# 22-14

## Comments from members of the public were heard from:

- Ellen Craft, Weston Resident of 5 Norfield Road, explains she has two existing non-conforming ADU units on her property. Ms. Crafts wants to ensure that property owners who have existing non-conforming properties, that this regulation will encompass those that are preexisting and remaining so that there are no changes to those ADUs. Mr. Edgar responded to Ms. Crafts, if you have a preexisting non-conforming structure, we are not permitted by law to take away your rights as an owner.
- Michael Chad Hoepfner, Weston Resident, with the need for diversity of housing, does the diversity of housing take into account what has been approved? Would the potential amount of ADUs be reviewed or the number of structures? Mr. Edgar responded that the Planning & Zoning's job is to create the opportunity to develop in the way that we permit new housing. For example, we have created the village district which would permit multifamily housing; however at this time we do not have any multifamily housing. There is no quota we must meet. There is a State goal that 10% of the property in towns be affordable. If there are no accessory apartments, we are not out of compliance with anything.
- Ellen Strauss, Weston Resident questions, what happens if every Weston resident chooses to build? Ms. Korsh responded that many residents will not build, however we are working to make it available for those who will want to. This regulation would not break two acre zoning.
- M. Welsch-Lehmann, Weston Resident, questions if these apartments are limited to residence or if a business would be permitted? If I built the ADU for family members and they moved away, could the structure be used to run my business? Ms. Kulikowski answered that right now, zoning regulations require all home occupations to take place in your primary dwelling. Residents are unable to convert a detached structure into home based business.
- David Minchin Allison, Weston Resident of 227 Newtown Turnpike, spoke in favor of this proposed change. It is a huge blessing for our family members and we are appreciative of this potential change.
- Ami Carpenter, Weston Resident of 67 Goodhill Road, stressed her concern that the rules have vague terms and questioned if we could have more specific rules. Secondly, Ms. Carpenter asked what the deadline would be and how the timeline will work regarding these regulations. Mr. Edgar responds that our intent is to be specific in regards to the definitions and measurements required for ADUs and the regulations could be adapted in a relatively brief amount of time.
- Justin Donovan, Weston Resident of 446 Newtown Turnpike, asked for clarification on square footage and height requirements of potential apartments. Mr. Carlon answered that the apartment itself cannot exceed 25 feet in height; however the entire structure cannot be more than 35 feet.
- Martin Mohabeer, Weston Resident, questioned if there will be affordable housing mandated for ADUs? Mr. Mohabeer added his hope is that in two years, regulations are reviewed to accommodate families in ADUs. In response, Mr. Edgar answered that affordable housing is not required for ADUs.
- Margaret Wirtenberg, former Weston resident, thanked the commission for doing a great job during this process.

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- Helen De Keijzer, Weston Resident of 30 Salem Road, questioned the commission on the regulation of height requirements. Ms. Korsh referenced section 345.d for clarification.
- Mr. Hopeneer, thanked the commission, and stated he is very impressed with the demeanor of the discussion.

Ms. Korsh made a motion to continue the public hearing to June 6th and Mr. Carlon seconded. All in favor, the motion carries (7-0)

**Discussion/Decision: Application for Lot Development Plan Approval, 35 Hidden Spring Drive, Revised Lot 2, Hidden Spring Drive Subdivision [Cedar Builders, LLC, Walid Cherfane] [22-06]** Walid Cherfane, property owner and Tom Quinn, PE presented an overview of their application for site development plan approval. Mr. Edgar made a motion to approve application for Lot Development plan approval, 35 Hidden Spring Drive, Revised Lot 2, Hidden Spring Drive Subdivision [ Cedar Builders, LLC, Walid Cherfance] [22-06] and Ms. Loucas seconded. All in favor, the motion carries (7-0)

**Discussion con't: Appointment of Architectural Review Board** Ms. Korsh and Ms. Kulikowski will continue to develop this matter.

**Approval of Minutes: April 4, 2022** The draft minutes from April 4, 2022 were accepted.

**Other Business:** Ms. Korsh reviewed that Weston Gardens seems to be fully operational as a retail store. Ms. Kulikowski stated Lily's Market is receiving inspections in preparation to be open in the future.

Mr. Edgar moved to adjourn at 10:05pm and Ms. Korsh seconded the motion. The motion carried unanimously (7-0).

Respectfully submitted,

Marina Zegarelli