

**Planning and Zoning Commission's**  
**Affordable Housing Subcommittee**

**Monday, March 8, 2021, 12:00 PM**

**No physical location. Meeting held electronically.**

**ACTION MINUTES**

P&Z Commissioners and Town Hall Staff in Attendance:

Danielle Dobin, Subcommittee Chair and Planning and Zoning Commission Chair  
Michael Cammeyer, Planning and Zoning Commission member  
Paul Lebowitz, Planning and Zoning Commission member  
Jim Marpe, 1<sup>st</sup> Selectman  
Melissa Kane, Selectwoman  
Elaine A. Daignault, Director of Human Services  
Mary Young, Planning and Zoning Director  
Michelle Perillie, Deputy Planning and Zoning Director  
Crystal Barry, Housing Specialist

Public in Attendance:

Jonathan Steinberger, State Representative  
David Waldman, resident and CEO, David Adam Realty  
Carol Martin, Executive Director, Westport Housing Authority  
Valerie Seiling Jacobs, 11 Compo Parkway resident  
Matthew Mandell, RTM Planning and Zoning Committee Chair  
Danielle Teplica, 52 Maple Avenue South resident  
Dick Lowenstein, RTM District 5 Representative  
Harold Bailey, TEAM Westport and 15 Regents Park resident  
Bernicestine McLeod Bailey, 15 Regents Park resident  
Bill Achilles, Architect  
Rick Hoag, Architect  
Peter Cadoux, Architect  
Rick Redniss, Redniss and Mead  
Linda Perretti, 59 Cavalry Road resident  
Gloria Gouveia, Consultant  
Larry Weisman, 11 Greenwood Lane resident  
Nicole Gerber, 36 Woody Lane resident  
Ross Burkhardt, 34 Clinton Avenue resident  
Claudia Copeland, 119 Harvest Commons resident  
Tom Foran, 4 Beachside Commons resident  
Elizabeth Rubridge, 34 West Parish Road resident  
Cheryl Scott-Daniel  
Althea Seaborn  
Catherine Onyemlukwe

Ms. Dobin introduced First Selectman, Commission members and staff.

### **1. Update on proposed development at West Parish/Post Road East.**

Ms. Dobin informed attendees that the CT DOT has agreed to transfer land to the town.

Carol Martin, Westport Housing Authority Director, thanked Ms. Dobin and Mr. Marpe for their efforts and explained it is a slow process but will keep everyone updated.

Mr. Marpe stated Ms. Mosquero-Bruno has visited Westport quite often recently and he is heartened by the direction this is headed.

Mr. Mandell asked how many units are proposed.

Ms. Martin stated as soon as she has anything of substance she will share.

Ms. Seiling Jacobs thanked everyone for their perseverance.

### **2. Review updated proposal for Accessory Dwelling Units (ADU).**

Ms. Dobin outlined the changes to the proposal to change Section 11-2.4 of the zoning regulations regarding Accessory Structures. She explained Building Coverage was changed to Building Area and clarified only one interior kitchen is permitted. The cupola cannot be more than 25 SF and is an architectural element. Ms. Dobin clarified that basement and cellars cannot be finished and not used as living space and the ADU can be leased for a minimum of 6 months and owner must live in principal dwelling. Discussion of addressing owner requirement later. She stated a property can have only an ADU or accessory apartment. Lastly, we intended to add language stating no height bonus for flood zone compliance.

Mr. Lebowitz stated he is happy to see such well-crafted language and encouraged Ms. Dobin to bring this forward as soon as possible to the full Commission.

Ms. Seiling Jacobs asked if someone wanted to put an ADU in an existing accessory structure that exceeds the allowable height.

Ms. Perillie stated we can add language to allow ADUs in non-conforming existing structures.

Ms. Seiling Jacobs asked why owner couldn't move into the smaller unit.

Ms. Dobin stated conflicting language in §11-2.4.12A and we want them to live in one, not necessarily principal.

Ms. Seiling Jacobs stated height and noise were really most important issues.

Mr. Cammeyer stated he is enjoying hearing all the comments and wants to move best version of proposal forward.

Mr. Mandell stated we need to make it clear whether trying to increase affordability or solve another problem. He questioned how we are addressing affordability if owner moves into smaller unit. He states if 1,500 SF - 2,000 SF units permitted they won't be affordable. He asked about size of 2<sup>nd</sup> floor and asked what constraint there is on that.

Mr. Mandell asked about why pitch of roof relates to height and suggested correction on language for septic systems. He suggested clarifying three total spaces, not three for ADU. He also

suggested adding language for living space in cupolas. He stated he thought there is a large jump in floor area for Accessory Apartment and didn't think if it is increased to 1,500 SF it would be affordable.

Ms. Dobin explained the rationale for increasing permitted Accessory Apartment floor area and proposed height rationale which incentivizes pitched roofs. She explained these would not be 2,000 SF.

Mr. Weisman asked about Mr. Friedson's comments which were emailed regarding pre-existing building and units in commercial buildings.

Ms. Dobin stated she did not think this is correct place to discuss commercial buildings and explained language on use of existing buildings will be added.

Mr. Mandell explained need to constrain size of apartment in non-conforming structures.

Ms. Dobin suggested something larger than permitted in a non-conforming structure may need a Commission approval.

Mr. Calise stated unit should not be larger than 1,000 SF.

Ms. Seiling Jacobs stated 1,000 SF is too small for mom and two children and really need 1,200 SF.

Ms. Dobin stated affordability is a spectrum depending on life circumstances and we need to allow flexibility.

Mr. Mandell expressed concern about abusing this regulation.

Ms. Dobin stated if abuse becomes apparent we can change regulations in future.

Linda Perretti, 59 Cavalry Road resident, asked if the subcommittee is still trying to figure out parameters.

Ms. Dobin explained the process and it is important to bounce the ideas off of interested parties so now going through details.

Ms. Perretti asked if an ADU needed separate amount of lot area.

Ms. Dobin explained setbacks and coverage need to be complied with. She stated the draft regulation is now being refined and will be brought to the full Commission to discuss again and then vote.

Mr. Waldman asked if an ADU can be deed restarted.

Ms. Dobin stated it can be and discussed state proposals. She explained that all legislative proposals remove ADU from denominator for §8-30g.

Rep Steinberger stated this discussion gives specificity and practical ramifications of the bills currently on table. He discussed how prescriptive the current proposals are.

Mr. Achilles discussed height and floor area. He stated individual owners will have more interest in this than developers.

Ms. Dobin stated if flat roof is proposed we don't want a full two stories.

Mr. Wesiman stated he didn't think there was a legal right to say who lives in which unit and doesn't think can legislate against that. He asked for clarification on floor area requirements.

Ms. Dobin stated lots over 65,340 SF can have around 1,500 SF floor area, with 1,000 SF on 1<sup>st</sup> floor and about 500 SF on 2<sup>nd</sup> floor.

Mr. Lebowitz asked if David Waldman or Rick Redniss had any input on floor area.

Mr. Waldman stated a family of three would be tight in a 1,000 SF unit.

Mr. Redniss stated he grew up in a 2 bedroom 890 SF apartment with four people and described this as one small solution of many, and stated it works.

Ms. Dobin discussed Regional Planning Agency report on ADUs, and the idea that it is low hanging fruit and when permitted as of right will provide diversity of housing. This will be naturally more affordable since smaller units.

Mr. Mandell stated builders are going to max out the size then will not be affordable.

Ms. Dobin explained how this will diversity housing in town.

Ms. Seiling Jacobs discussed how living in a cramped house affects a child and doesn't think the regulation should go below 1,200 SF.

Ms. Perretti stated there are so many women who are divorced that can't even afford to live in Norwalk and this will help so many.

Mr. Bailey stated we don't want to create a stigma and should make it a reasonable size.

Mr. Hoag stated we're missing the point if too preoccupied with size and thought it is all about design.

Mr. Redniss stated to ensure a robust discussion the regulation should be drafted as more expansive and can always reduce scope during the hearing.

Ms. Dobin concluded the meeting offering her thanks to all who attended, encouraged all to participate in public smhearing and adjourned the meeting at 1:10 p.m.

**Respectfully Submitted By:**

Michelle Perillie, AICP; Planner

March 22, 2021