

RTM Meeting June 7, 2022

The call

1. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, to approve a Special Appropriation from the General Fund in the amount of \$47,790.00 for Coleytown Elementary School Modular Classroom Canopy.
2. To take such action as the meeting may determine, upon the recommendation of the Board of Finance, to approve a request by the Westport Library for \$57,462.65 from the Westport's American Rescue Plan Act (ARPA) funds, to enhance the wireless network and infrastructure.
3. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the Library Director, to approve a Special Appropriation from the Capital and Non-recurring Fund in the amount of \$62,147.00 for repairs to the Library Roof and for Air Conditioning Installation in the Children's Room and Media Studios.
4. To take such action as the meeting may determine, upon the recommendation of the RTM Library, Museum & Arts Committee, to appoint two electors of the Town of Westport to serve as Trustees of the Westport Library.
5. To take such action as the meeting may determine, upon the recommendation of the Board of Finance and a request by the First Selectwoman, to approve an appropriation of \$84,000.00 to the appropriate department salary and benefit accounts for holiday pay for Juneteenth.
6. To take such action as the meeting may determine, upon the request of the Human Services Director, to approve applicants to the Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program pursuant to CGS 12-630aa et seq.
7. To take such action as the meeting may determine, to ratify the decision by the Planning & Zoning Commission to "Opt-Out" of Accessory Dwelling Unit Requirements per Public Act 21-29.
8. To take such action as the meeting may determine, to ratify the decision by the Planning & Zoning Commission to "Opt-Out" of Multi-family Parking Requirements per Public Act 21-29.
9. To take such action as the meeting may determine, upon the request of at least two RTM members, to adopt a sense of the meeting resolution asserting that Westport supports the constitutional rights and principles established in Roe v. Wade and opposes the elimination of those rights by any subsequent Supreme Court decision.

The meeting

Moderator Jeff Wieser:

Good evening. This meeting of Westport's Representative Town Meeting is now called to order and we welcome those who are joining us this evening. My name is Jeff Wieser and I am the RTM Moderator. A notice about procedures for this electronic meeting: Pursuant to Substitute House Bill 5269 as amended by House Amendment "A", there is not a physical location for this meeting. This meeting is being held electronically and live streamed on [westportct.gov](https://www.westportct.gov) and shown on Optimum Government

Access Channel 79 and Frontier Channel 6020. Meeting materials will be available at westportct.gov along with the meeting notice posted on the Meeting List & Calendar page. Members of the Westport electorate attending the meeting by telephone or video may comment on any agenda item. Comments will be limited to 3 minutes.

Emails may be sent to RTMmailinglist@westportct.gov, which goes to all RTM members. These emails will not be read aloud during the meeting.

Invocation and Pledge of Allegiance Tonight's invocation will be delivered by our own Liz Milwe who we all know and love. Liz, the floor is yours.

Invocation, Liz Milwe, district 1:

The town of Westport has always been admired as a community and cultural leader in so many ways: our excellent schools, our beautiful Longshore, the ever-vibrant Westport Playhouse, the Westport's Art Collective, the state-of-the-art Public Library, Earthplace, Wakeman Town Farm, and Compo Beach. These places all stand out in Fairfield County, but what is also unique for us is the Westport RTM, because it is a non-partisan governing party. In a seriously divided country, we, in Westport, elect RTM members not by their political party affiliation, but for their community vision, thoughtful ideas, and hard work in our town. As we face all sorts of decisions-- from complicated budgets to new ordinances to current developments in town -- we need to keep in mind that our strength is in working together as a non-partisan team. So, what does it take to work together as a team? What do we all need to do for the collective, greater good here in Westport?

We need to continue to:

1. Gathering -- coming together, in one place, for honest discussion.
2. Listening -- hearing each other, even if we think we don't or can't agree.
3. Reading -- researching and understanding subjects from all points of view.

And lastly,

4. Compromising-- being flexible and willing to give up a little here or there.

We have been ahead of the curve on many issues on the RTM, getting rid of plastic in our restaurants, removing artificial turf from our fields, offering composting at our transit center, stopping phonebooks from being thrown on our lawns, banning plastic bags before most of the country and committing to a net-zero community by 2050.

We have also taken stands on national issues that affect all of us. A way to speak out as a community. These all happened because we were able to come together, agree, and work hard through all our standing committees. I hope we can continue to do just that in our two-year term. I will end on some words of wisdom:

The first, by Henry Ford: "Coming together is a beginning. Keeping together is progress. Working together is success." The last by Michael Jordan: "Talent wins games, but teamwork and intelligence win championships."

Mr. Wieser:

Thank you Ms. Milwe. Great words of wisdom. And we now have our zoom era Mandell montage Pledge of Allegiance. That was excellent. Best yet. Thank you Matt for making it happen. I understand Jackie Fuchs is listening in. She is back home and we are pitching for her and praying for her. Keep doing well Jackie. She is even doing our minutes so she is really feeling healthy or we are not helping her get well at all. I'm not sure which. She's gotten through April, still doing May. I think April has been posted. If you see those and there are any corrections, please let me or Jeff Dunkerton or Jackie

know and we'll be getting the May minutes to you soon. God speed, Jackie and we're glad you are doing minutes.

Announcements

Congratulations to our June birthday celebrants. This month we recognize Ross Burkhardt, Jay Keenan, and Arline Gertzoff - Happy June Birthdays!

RTM Announcements

Jaime Bairaktaris, district 4:

I'm going to try to stick with the good news sector here because I think we need a little bit of good news. One, the marina has been opened and we also have the staff back. They had two incidents this weekend and both, they were fantastic in the way they helped people around them. We had a medical emergency on the water and the marina staff were fantastic. I think it's important to note that some of them are high schoolers. I think it was really nice to see that they are keeping things in ship shape. It's a really good group of people. So, that's a good thing I think. I would like to see if I could announce what EMS is doing because I think it would be nice for you guys to know. In the past month since our last meeting, EMS went on 198 calls to service; 34 of them were car accidents; 97 were medical emergencies; 14 were psychological emergencies; 35 were trauma. Just a bit of information because, why not? That's all I've got.

Mr. Wieser:

That's interesting. I don't think it would hurt, Mr. Bairaktaris is you would keep track of those numbers and maybe updated us if there are interesting trends. It's good stuff. Thank you. Mr. Mandell, no announcements? Holy smokes! Okay.

Harris Falk, district 2:

We all know there was shooting in Uvalde and what happened in Buffalo and maybe having a sense of the meeting but we already had a sense of the meeting and due to the way our charter works, it was too late to do it anyway so we had talked about having a moment of silence now. We already did a sense of the meeting in 2013 about gun control. A lot of the members are still on the RTM who voted for that. A sense of the meeting... we've all said it. There are those who say it's too soon. You have a shooting every day. Well, then it's always going to be too soon. There was a shooting an hour ago in New Haven, yesterday in Waterbury. It's ridiculous. Our representation in Congress and our State representation in Hartford, they've done great jobs. We need to do more. We can't just put it off to others. We can pass ordinances. This was going to be a moment of silence but, quite frankly, we've all been silent enough.

Mr. Wieser: Thank you Mr. Falk. That's very appropriate.

Lisa Newman, district 8:

First I want to thank Harris for touching on something that has touched us all over the last several weeks. It is critically important and I understand why a moment of silence doesn't feel like the right next step at this point. We have done them, right? But thank you Harris for bringing it up. In an abrupt shift of mood, I'm so sorry to follow that, I do

want to recognize one of our RTM colleagues had a very big graduation last month and I want to take a moment for all of us to say some cheers to Andrew Colabella who got his Masters of Public Administration from Fairfield University last month. So, congratulations Andrew. [Applause.]

Andrew Colabella, district 4: I did not expect that. Wow.

Ms. Newman: You should be proud. I'm proud of you.

Mr. Colabella:

I really appreciate that. It was a three year program. I did it in two and I think everybody knows my story of the last two years, what I've been going through. I'm excited. I can't wait to see what happens. I don't know what to say. I'll see everyone Thursday night. I really appreciate that. You guys have been really helpful in guiding me. If I hadn't gotten on the RTM, I have no idea where I might have been. You guys pointed me in the right direction. Thank you everyone for helping me on this journey. Thanks Matt.

Mr. Wieser:

Congratulations Andrew. We will wait for the news to congratulate Ms. Newman. Thank you Lisa for bringing that up. There are a lot of important conversations to continue and I'm sure we will continue them. Are there any committee meetings set up for July? I know the Board of Finance was active this month so there will be another good meeting in July. We'll hear about committee meetings as we go.

Acting secretary Jeff Dunkerton called the roll. There were 33 members present. Ms. Meiers Schatz and Mr. Braunstein notified the Moderator that they would be absent. Mr. Shackelford was also absent. Mr. Keenan, Mr. Mall, Mr. Lowenstein and Ms. Talmadge left the meeting before its conclusion.

The secretary read item #1 of the call - To approve a Special Appropriation from the General Fund in the amount of \$47,790.00 for Coleytown Elementary School modular classroom canopy.

Presentation

Elio Longo, Schools' CFO:

The request before the RTM this evening is for a special appropriation in the total amount of \$47,790. The breakdown of the \$47,790 is as follows: \$41,290 to purchase a canopy structure for the Coleytown Elementary School modular unit and \$6,500 of fixed cost for the removal at the end of the project. In early March of 2022, the Business Office conducted a bid opening and recording of an RFP. There was one respondent to the RFP, New Haven Awning Company. It happens that New Haven Awning Company was the company that assisted the District with a canopy structure at Bedford Middle School modular project of 2018/2019. We plan on installing the canopy during the summer months. We have already secured and thank you once again for your support of funding the structure itself. There will be additional costs for site improvements and

security that will come before this committee in the next month or two. At this time, we have secured the building and the request this evening is for the canopy unit.

Committees report

Education and Finance Committees, Lauren Karpf, district 7:

The Education and Finance Committees met via zoom on May 24. The members present are in the packet. Elio covered most of it. I'll just add that the modulars will house what is called specials classes, art and music, so there won't be classes in that room consistently throughout the day. It will be shuffling of the students. The canopy includes side paneling other than the first eight feet in lighting. The modulars will be onsite by the end of June or early July. The canopy will be installed shortly thereafter. The costs are in line with the costs for the Bedford project in 2018/2019. We were able to repurpose some of the materials. We did come under so there is some good news. The total project was estimated to cost around \$700,000 but now we're expected to total around \$500,000. The Education Committee voted in favor 5-0 and the Finance Committee voted in favor 6-0.

Mr. Wieser:

We now turn to the Westport Electorate: Members of the electorate who raise their hands to speak during the public comment period for each agenda item will be called upon by the Moderator. Please remain on mute until you are recognized to speak and when you are finished speaking. Public comments are limited to 3 minutes. We ask that you avoid repeating comments already made.

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Superintendent of Schools, the sum of \$47,790.00 from the General Fund for Coleytown Elementary School Modular Classroom Canopy is hereby appropriated.

Mr. Wieser:

Are there any comments from RTM Members? Members are asked to raise their hands electronically with one of the two buttons – either a blue hand or a yellow hand - and wait to be recognized. Be sure your mike and video are on when it is time for you to speak, and state your name and district. Please limit your remarks to 10 minutes in the interest of fairness to others who wish to speak. Be sure your mike is turned off when you are finished. If you have further remarks to share at another time, please be as concise as possible.

Members of the RTM

Chris Tait, district 1:

Hi Elio. By the way, thank you very much. You do a great job. Just a quick question: This particular appropriation, could it have been in the budget that we just approved? If we talked about this last March, why wasn't it in the budget for us to approve?

Mr. Longo:

It is a capital budget request and town finance chooses to fund this project as a special appropriation.

Mr. Tait: Board of Finance. Okay. Thank you Elio.

Mr. Falk:

This is actually a very late question. It has nothing to do with the canopies. It has to do with the modulars. We seem to use them a lot and they are very convenient for the town. Is there any way we can just buy some of these units instead of having to rent them out every once in a while?

Mr. Longo:

Great question, Mr. Falk. The RFP was released and we contracted for a 48 month term release. Should there be an interest on the town side to secure these structures for projects down the road, we could always reach out to the contractor, the vendor and ask them for residual value at the end of 48 months as a buyout option.

Mr. Falk:

Again, it has nothing to do with the awnings which are necessary, obviously. Thank you.

By show of hands, the motion passes unanimously, 33-0.

Mr. Longo: Thank you. Your support is much appreciated.

The secretary read item #2 of the call - To approve a request by the Westport Library for \$57,462.65 from the Westport's American Rescue Plan Act (ARPA) funds, to enhance the wireless network and infrastructure.

Presentation

Bill Harmer, Executive Director, Westport Library:

Not that any of us want to recall but a couple of years ago during a tropical storm, it knocked out power for 10 days leaving over 90 percent of the residents without Wi-Fi and the library really became the town's communication hub due to our Wi-Fi availability. In the days following the storm, about 14,000 residents accessed the library's Wi-Fi. The demand for the connectivity was greater than we anticipated and our wireless capacity could not meet the needs. As a result, some people lost connectivity and others did not sufficient signal strength to do what they needed to do. To address this for future emergencies, we are proposing increasing the strength of our wireless by adding more routers. This would extend and strengthen our wireless output and strengthen the library's ability to provide the essential service to the community not only for the next emergency but just for general use. In addition, in order to manage the additional throughput, we need to upgrade our current firewall. It is over 12 years old now. It does not have the redundancies in the systems. A failure of our firewall could

lead to a cybersecurity breach. The total ARPA request for both projects is as stated in the agenda, \$57,462.65.

Committee reports

Finance Committee, Rachel Cohn, district 8:

The Finance Committee met on May 24. The folks are listed in the packet. As background, Library Director Harmer explained how the library's wireless access point was absolutely critical during this important time for our town during the hurricane. This request was determined by the Finance Committee to be well within the established criteria for the ARPA funds and falls within the mandate for funds to help improve infrastructure and qualifies as a means to offset revenue losses that occurred as a result of the pandemic. The vendor for the upgrade is called Core Systems which was chosen among three different options. The library also relied on consultation from knowledgeable town residents. The vote was 6-1 and the motion passed.

Library, Museum and Arts and IT Committees, Mr. Falk:

We've heard about the storm and the way the town was using it. The current firewall that is in use is 12 years old. It has no redundancy to it and it is a bottleneck, just being so old, it can't handle the new connectivity. In order to provide the town service, not just for emergency situations but for ongoing daily use, the library wants to use the ARPA funding for installing four outdoor access points, a fiber optic twisted pair switch, two fire walls as well as cabling and other things required for installation. We also came to the conclusion that it meets the requirements for ARPA for emergency resiliency and for cyber security. A few more questions were asked: Will it improve connectivity and band width as well as outdoors. The answer was yes. The range of the Wi-Fi should be from the river from Jesup roughly all the way to the Levitt. We asked questions about the pricing, if it was fixed. It's not because since we're working at the speed of government, if there are any cost overruns due to inflation or supply chain, the library will cover any additional costs. The timing for the installation is as soon as possible. They say, as soon as they get things delivered, supply chains being what they are, they will install it and there should be no disruptions. Both committees unanimously voted to recommend to approve.

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Westport Library, the sum of \$57,462.65 from the Westport's American Rescue Plan Act (ARPA) funds, to enhance the wireless network and infrastructure is hereby appropriated.

Members of the RTM

Mr. Tait:

If there is an emergency, if my internet gets cut off, the library will have the capacity of still being online from when I have cable?

Mr. Harmer:

Yes. That happened in the tropical storm. Given the new generator that we installed with the transformation project and the routers that we installed outside the building which we put in place for these kinds of emergencies, the answer is yes, you would be able to do that.

Mr. Tait:

So, basically, in the case of emergencies, the residents would have a place to go or a place to find information or a place to find out what's going on in the world. It could be done through the library. Correct?

Mr. Harmer: Yes.

Mr. Tait:

I appreciate that. I think this is what the money should be spent for, for information or, God forbid, an emergency in the world, at least we know we can go to the library as backup to find out what's going on. Thank you very much. I support this.

Peter Gold, district 5:

Three quick questions: The library is not open 24/7 but sometimes emergencies happen when the library is not open. Will the network be available 24/7?

Mr. Harmer:

Yes. The project would not only strengthen the signal inside the building but outside the building.

Mr. Gold:

Harris mentioned it is going to go as far as the river and the Levitt. What about the other direction? Will it reach up to the Post Road?

Melanie Meyers, Westport Library:

It will go 360 degrees around the library. It will reach to Taylor lot, Taylor Place and all the way to the Levitt. It will have strength so people can use all sides of the library and in large numbers which right now is not possible.

Mr. Gold:

So, it will also go as far as the Police Station should they lose their power.

Ms. Meyers:

We actually worked with the town that we are a backup for the Police Station if electricity disruptions occur.

Mr. Gold:

Last question: You guys do a great job and I'm glad you're open and providing all these great emergency services but, have we, as a town, decided that this is, in fact, the emergency service center? Are we going to do the same thing, for example, at the

Senior Center or somewhere in Greens Farms or in Saugatuck in case the bridge is down across the river? Have we, as a town, made a decision that this is, in fact, where we want our emergency services to be provided from in this sort of thing?

Mr. Harmer: I can't answer that question.

Mr. Gold:

I know you can't. I was just raising the issue. I didn't know if it came up in your discussions with the Board of Finance and anybody else.

Mr. Harmer: It did not.

Mr. Gold:

I think the town should consider doing things like what we're doing in the library in other locations as well because not everybody can cram into the library. Sometimes you can't get across the river, for example.

Dick Lowenstein, district 5:

I voted yes on this at the committee level and will do the same tonight; however, I would like to point out that all 36 members of the RTM have a stake in what happens at the traffic meetings that were held over the last nine weeks. Lots of proposals were made and they will be looked at by the administration. Those proposals will cost money and the money must come from somewhere. One of the most obvious places is from the ARPA funds since the problems we are having with traffic are being exacerbated by COVID. So, going forward, I will take a skeptical and more critical view of any ARPA funding requests until I have a better idea of how the town will fund the traffic proposals that come before them. It doesn't affect the library but it does affect my view of ARPA funds going forward.

Ellen Lautenberg, district 7:

My question is the focus is in case of emergency but does this mean the library signal will be accessible any time? Is that something that is turned on and off or is it something people can access at any time from outside the library?

Mr. Harmer:

Any time. They do it every single day. This project allows us to strengthen the signal and also increase the band width so that more people can gain access to it.

Ms. Lautenberg: So, it's available any time.

Jack Klinge, district 7:

I would like to follow up on Mr. Gold's point. I would like to ask the IT Committee of the RTM to find out and make a report at our next meeting of exactly what locations in town have this capacity right now...schools, police, fire so we know where in Westport we have this opportunity to avail ourselves of emergency services. Is that possible?

Mr. Wieser:

I suspect Mr. Bairaktaris could be helpful in that as well. Mr. Falk, is that something you'd be happy to do?

Mr. Falk:

I'd be happy to do it. The schools, Town Hall, Compo. These are just off the top of my head.

Mr. Klinge:

I think it would be nice to let the whole town know at one time where we have these capabilities.

Mr. Falk:

Sure. I am sure some of it involves whether they have power or not. The library has its own generator, Town Hall as well.

Mr. Wieser:

We can follow up on that, maybe through committees. That's a great suggestion.

Noah Hammond, district 4:

Is any of the usage monitored at the library or is it anonymous across the system?

Mr. Harmer:

We know how many people are accessing it but we don't know who is accessing it.

Mr. Hammond:

Do you know what they are accessing? If they are going to any kind of nefarious websites or things that might be inappropriate for children or going to sites that might raise alarm bells. Is there any usage monitoring across the Wi-Fi system?

Ms. Meyers: No. There is not.

Jessica Bram, district 6:

I just want to address that question about other organizations and would they be able to provide emergency resiliency. I think the library provides a good example to them because the library has stepped forward to do that and if other organizations, other entities, do the same thing, they should look to the library as an example of how to do it. So, I am strongly in favor of this and commend the library for doing this in such a proactive way.

Matthew Mandell, district 1:

Just so you know, the Levitt Pavilion has its own Wi-Fi as well. They may not have electricity during an outage but that would extend beyond the lot if that was happening. Just to let you know. I don't know about the 65 cents part. But I am all in favor of this and I think it's straight down the line in ARPA funding. So, this is a good thing to spend our money on.

Mr. Falk:

I do have a comment now. Since I'm breaking up, would it be possible to extend the signal to me. Obviously, I need it tonight! Would it be possible for the library to look into placing electrical outlets outside? They don't have to be turned on all the time, obviously but they would be very good. Hopefully, it is a rare occurrence where we wouldn't be able to go into the library and plug in. If we had outdoor outlets to charge things or when we have an event, the Maker Faire, the Book Sale, Story Fest, what have you, if electricity could be provided to people on the green, that would be convenient as well.

Mr. Harmer:

I can answer that real quick. The pandemic prevented people coming in during the tropical storm but, pandemics aside, people will be able to come into the building and charge. As far as having outlets outside the building, there are outlets alongside the building and also in some of the benches as well and some of the landing platforms where people can plug in and charge as well. There are definitely more outlets than there were prior to our transformation project. If we need to look at installing more, that is something we could investigate and get back on.

Mr. Falk: Along the green or along the water.

Ms. Meyers:

Unfortunately, our generator will not be able to take endless amounts of load. The wireless is not a drain but as we add more things to the generator, there is a point beyond which we won't be able to go.

By show of hands, the motion passes unanimously, 33-0.

The secretary read item #3 of the call - To approve a Special Appropriation from the Capital and Non-recurring Fund in the amount of \$62,147.00 for repairs to the Library Roof and for Air Conditioning Installation in the Children's Room and Media Studios.

Presentation

Mr. Harmer:

Two requests here: The first request is for \$21,375 to cover the cost of repairing the library roof. The town had in its capital forecast for 2022 to replace the entire roof. It was in its 25 year forecast. Given the enormous cost of construction right now, a roof project is not cost-effective and is estimated to be over \$1.2 million. During the capital campaign project, recently, the library in cooperation with the town met with roofing consultants and we learned that we still can get several more years out of the roof. So, that's what this request is for. It allows us to save the town money during a time of financial stress and extend the life of the roof. The second piece of the request is for \$40,772 for the installation of air conditioning units for the Higgins Room which is the main program room in our Children's Department as well as in the library's Video

Production Studio. The issue that we're trying to resolve in the Children's Department is this. In the late spring, summer and early fall, months when the sun is beating down on the Higgins Room, it makes the room too hot to use for children's programs. That is the busiest time of the year for doing events for that target audience. We have increased the air flow from the central air conditioning units and installed sun mitigating blinds. Neither of these has been sufficient in reducing the heat in the room. Since all other efforts have not been effective, the remedy here is to install a new cooling unit on the roof for this room to be usable in the summer months. The other concern has to do with the library's video production studio. Over the last two years, the library has upgraded the equipment in the studio to meet training, production and other needs. We added more equipment than we had planned for but the results have been immediate. For example, tonight, James Patterson was at the library. We had 500 people in person at the event and a few hundred people watch from home courtesy of this broadcasting room. The heaping generated by all the computers and other equipment makes the studio extremely hot. When you add the staff and the trainees working in the room simultaneously to support the events, it becomes even hotter. We are concerned that if we don't add air conditioning to this room, the broadcast equipment could overheat and get damaged. We are therefore requesting funds to install air conditioning in this room. The cost to do both the children's room and the video control room is \$40,772.

Committee reports

Library, Museum and Arts and IT Committees, Mr. Falk:

Second part of the report for LMA and IT. Bill just gave the whole schpiel of what it's all about. I'll get to the questions and comments that were had. A question was asked has anyone else looked at or asked about the roof? Public Works has been involved and as we'll probably find out Don O'Day has asked questions during the RTM Finance Committee meeting with the Library. A question was asked if the roof wasn't part of the transformation project? It was not, as it had been evaluated to have a few years left in it at the time of the project. There was enthusiasm for appropriating \$21,375 as a measure that will hopefully save significantly more after construction prices stabilize. Both committees unanimously voted to recommend to the full RTM.

Finance Committee, Cathy Talmadge, district 6:

I think we pretty much covered everything but there were some questions that the Finance Committee had on the specifics of the roof damage and whether we got the life out of it and we were assured that we did. They did state that the issues were flashing and general leaking. It was passed unanimously with a 6-0 vote.

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the Library Director, the sum of \$62,147.00 from the Capital and Non-recurring Fund for repairs to the Library Roof and for Air Conditioning Installation in the Children's Room and Media Studios is hereby appropriated.

Members of the RTM

Mr. Mandell:

Spending this small amount of money to forestall spending that much more money later on is a great stop gap. That's it.

Don O'Day, district 3:

I just wanted to give a shout out to Bill and his team. The solution of buying these Mitsubishi ductless units that I think a lot of us are probably pretty familiar with. The total air conditioning for the library was insufficient and I think Bill covered it, the reason why. These ductless units will do the trick and, as Cathy said, the Finance Committee unanimously approved it and I certainly think that was exactly the right thing.

Mr. Gold:

I am not familiar with the production studio. Can you tell me what it's for, who uses it?

Mr. Harmer:

If you will recall, one of the parts of the transformation project, the library installed three state of the art media studios; one being a video production room; one being an audio recording studio and the third as a post-production suite. The video production room which is the room in question is the room that is adjacent to the stage and the library's forum and it is from that location is where we manage the production of the live events that we do here at the library, both the in person events and the events that we stream live to anybody who is watching from home. There is a lot of very expensive equipment in here. Like any technology, it requires that it be cool enough so it doesn't overheat the equipment. That is what the additional cost would cover.

Mr. Gold:

I have no problem with keeping the equipment safe. Is it just used by the library to stream live events or do patrons use it to produce videos, or what?

Mr. Harmer:

All of the above. We are teaching. We are doing hands-on training there. In fact, tonight at the Patterson event, every person working in the studio to produce the event with the exception of one, are about six or seven community trainees who are actually involved in the production tonight of the James Patterson event. So, it is being used for library programming. It is being used as an educational tool and it is being used to create content like pod casts and how to videos. We are using it to make documentary films and create YouTube channels and what have you.

Mr. Gold: Do people use it for commercial purposes?

Mr. Harmer:

Not so much that particular studio but on occasion we do have professionals who are renting out the equipment at the audio control room and using that for commercial purposes.

Jimmy Izzo, district 3: Bill, are the bathrooms of the library open to the public?

Mr. Harmer: Yes.

By show of hands, the motion passes unanimously 33-0.

The secretary read item #4 of the call - To appoint two electors of the Town of Westport to serve as Trustees of the Westport Library.

Committee report

Library, Museum and Arts Committee, Kristin Purcell, district 1:

The committee interviewed alongside the Governance and Nominating Committee of the Board of Trustees of the Library eight candidates to fill two RTM-appointed roles. The meeting was called to order at 7:45 on May 31. We had a full quorum and went into executive session to discuss each of the candidate's contribution to the Board of Trustees. We came out of executive session and Karen Kramer made the motion to recommend to the full RTM the appointment of Melissa Banks and Ben Chan to be appointed to four year terms as Westport Library Trustees. These are the two of the eight candidates that the LMA chose to put forward to the full RTM for our recommendation. Lori Church seconded the motion. The motion passed 8-0. We then went on to review the reappointment of Scott Bennewitz to a second four-year term as a Library Board Trustee commencing July 2022. Karen Kramer made the motion, Wendy Batteau seconded the motion. All voted in favor. The motion passed 8-0. We are very excited to put forward three excellent candidates to help support the work we've heard Bill detail so well already tonight.

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the RTM Library, Museum and Arts Committee, in accordance with Section C34-1 of the Town Charter, Ben Chan and Melissa Banks are hereby appointed to serve as Trustees of the Westport Library for a four year term beginning July 1, 2022 to June 30,2026 and Scott Bennewitz is hereby reappointed to serve as Trustee of the Westport Library for a four year term beginning July 1, 2022 to June 30,2026.

Members of the RTM

Mr. Falk:

I just want to say that this was awful. There was not a single bad candidate that came to us. The decision was one of the hardest ones ever made and I'm really proud to say that. We would have taken anyone that had interviewed. They were all amazing but we could only pick two and Scott who we were bringing back.

Mr. Wieser:

Thanks for that insight and thanks to the Committee for working hard to interview everybody that did a great job.

By show of hands, the motion passes unanimously, 33-0.

The secretary read item #5 of the call - To approve an amount of \$84,000.00 to the appropriate department salary and benefit accounts for holiday pay for Juneteenth.

Presentation

Gary Conrad, Finance Director:

Juneteenth is now an official Federal holiday. The Governor of the State of Connecticut has made the recommendation that it be made a holiday also. On May 23, the First Selectwoman in Westport sent notification to all employees that we are going to honor Juneteenth as a holiday for the town. The impact of this is that police, fire, animal control, EMS, transfer station, waste water treatment plant, Parks and Recreation, they will all continue to be working. Under the contracts we have for police and fire, if we close the town for a holiday, the current contract reads that they will be compensated for that as a day off. Under all the contracts that are negotiated now, they are all looking at this as an official holiday. There will be 159 employees who will get direct pay on this as an impact. The management people and non-union people, both in Town Hall and other facilities who will not be working and take it as a holiday and that there are no outgoing funds to cover that they have the holiday off. All the other town departments that need to keep open, the transfer station, the sewer plant, of course, we can't shut those down so those people will be working and will be paid at the appropriate overtime rate. The total request covering the 159 people that are going to be paid for salaries and benefits, Medicare, Social Security and Workers Compensation comes to \$84,000 and that's the request we put in. We hope to have this paid the last paycheck of the month which is June 30 so that is why there has been a push to get this through.

Mr. Wieser:

Thank you Mr. Conrad and thank you for the explanation of why we're pushing it through this month. And thanks to the RTM for considering it.

Committees report

Employee Compensation and Finance Committees, Lou Mall, district 2:

This was a joint meeting of the Employee Compensation and Finance Committees that was held on June 6. You heard what the call was and the attendees are in your handout. To give you a little bit of background, the Emancipation Proclamation declared by President Abraham Lincoln became effective on January 1, 1863. Lee surrendered at Appomattox on April 9, 1865. Ten weeks later, on June 19, 1865, Major Gordon Granger of the Union Army arrived with 2,000 troops in Galveston, Texas. He announced the end of the Civil War and freed 250,000 enslaved people. Juneteenth is the oldest celebration marking the end of slavery. It became a Federal Holiday in 2021. That's the background. You heard the discussion from Gary Conrad. Mr. Conrad

indicated the First Selectwoman Jen Tooker announced the Town of Westport would observe Juneteenth as a holiday. I had it in my records on May 22, 2022. If Town Hall closes for a holiday, it triggers paid equivalent of holiday pay to 60 fire, 50 police, DPW Sewage and Transfer Station employees and EMS and some Parks and Rec employees. It is in all bargaining agreement contracts. The actual observance of Juneteenth will be Monday, June 20, 2022 and is a federal holiday. Town Hall will be closed, so word needs to get out. A motion was made by Jay Keenan and seconded by Candace Banks to recommend to the RTM to approve the appropriation of \$84,000 to the appropriate department salary and benefit accounts for holiday pay for Juneteenth. Employee Compensation voted 6-0-0; Finance did not have a quorum, but voted 3-0-0 to recommend to the RTM to approve. The meeting was adjourned at 7:50 p.m. Respectfully submitted, Louis Mall.

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the First Selectwoman, the sum of \$84,000.00 to the appropriate department salary and benefit accounts for holiday pay for Juneteenth is hereby appropriated.

Members of the RTM

Mr. Gold:

I'm going to vote for this but, just out of curiosity, what happens if we don't approve it. It's going to pass but what happens if we don't approve it. I guess my point is it would have been nice if we were asked if we wanted to appropriate the money before we were forced into a situation where we had no choice. It's one of those situations where it comes to us and we are told we have no choice. We have to do it. Juneteenth wasn't on the calendar. People couldn't see it coming and ask us first. In fact, you could ask us today and answer tomorrow because Juneteenth is not for another 12 days...Just a pet peeve. Sorry.

Mr. Wieser:

Thank you Mr. Gold. I'm not sure there is an answer to that. We'll think about it.

Mr. Mandell:

Gary, just let me get this straight. If it was a regular workday, everybody would work, they'd get paid as part of the budget. But because this is now a holiday, 151 or 161 personnel need to be paid holiday rates above their grade? So, if they made 'X', that's the difference we're talking about, \$84,000?

Mr. Conrad: That's correct.

Mr. Mandell:

I just wanted to put that on the record so we understand. The \$84,000 is for the holiday pay only. Their regular pay is already built into the budget. This is the extra amount.

Mr. Conrad: That is correct. We are calling these people to come in to work on a holiday.

Mr. Falk:

Next year, it will be a Federal Holiday but Governor Lamont has made it a State Holiday as well next year. I assume this wasn't in the budget because it was just signed and it missed all the budget negotiations. It will automatically be in the budget next time around.

Mr. Conrad:

It's not in next year's budget but we are contemplating if we do need an appropriation, I'll come back, probably in May, after we get the forecast for year end. We are hoping to cover it through different methods, whether it is through attrition or other methods of salary savings and benefit savings. We'd look to have the departments cover those expenses but, if not, we'll be coming back for an appropriation because this has happened after the budget was passed.

Mr. Falk:

Right. The next budget, it will be built in, not the budget that is about to start.

Mr. Conrad:

We would be building that into the next budget before you, '23/'24.

Claudia Shaum, district 5:

How many Federal holidays during the calendar year does this happen for? Overtime pay happens for all the Federal holidays where employees have to work.

Mr. Conrad: Union contracts, I believe the count is 13 holidays.

Ms. Shaum:

Is there a cap on that? I'm just curious because we could have a new holiday every year. It could go on. I'm just curious if there is a balance with another holiday. I remember when I was working in corporations, things would change. You used to get Columbus Day off and then you didn't. It would change.

Mr. Conrad:

There is nothing in any of the contracts or for non-union people that actually address the number of holidays or holidays that are created at the Federal or State level whether we have to go along with them. It comes back to the town. We have a choice of whether we want to honor the holiday.

By show of hands, the motion passes unanimously, 33-0.

Would the secretary read item #6 of the call - To approve applicants to the Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program pursuant to CGS 12-630aa et seq.

Presentation

Elaine Daignault, Director, Human Services Department:

I am here to present the Neighborhood Assistance Act 2022. Those non-profit agencies that have applied include the Westport Country Playhouse, the Saugatuck Cooperative, the Parent-Child Center, and Homes with Hope. For those of you who are new to the program, this is a program that is sponsored by the Connecticut Department of Revenue Services (DRS). The NAA program is designed to provide funding for municipal and tax-exempt organizations by providing a corporate tax credit for businesses that make cash contributions to these entities. The application process is such that Human Services collects the applications on behalf of DRS, we acknowledge that these are non-profits in our community and that our role is to bring it to the RTM to certify that these applicants are recognized as non-profit in our community. Once you do that for us, we will go ahead and submit it to the State by July 1. I can answer any questions or go into it in more depth but I think many of you have heard this before so I'll leave it at that unless there are questions.

Committee report

Health and Human Services, Ms. Bram:

It's very straightforward. We are not making any judgments on the applications, just the fact that the applicants are qualified to be applicants. We did see their applications, Federal Form 990, which is a return of organizations from income tax, so, it was fairly straightforward.

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That upon the request of the Human Services Director, pursuant to CGS 12-630aa et seq., the Westport Country Playhouse; The Saugatuck Cooperative; The Parent Child Center and Homes with Hope Inc. are hereby approved as programs eligible for investment by businesses under provisions of the 2022 Connecticut Neighborhood Assistance Act (NAA) Tax Credit Program.

Members of the RTM

Arline Gertzoff, district 3:

So there is no confusion or anything, I have been asked to comment briefly on two of the applicants. You have all received a good bit of material on it but I took the time to go through the applications from the Westport Country Playhouse and Homes for Hope. I would just like to say that these entities are both appropriate. Both are in the category of energy, which is clearly on the form. For those of you who are interested, the Westport Country Playhouse will use \$11,680 to put in LED lighting in the parking lot and inside. As most of you know, LED is the way to go. I just have to put in a plug here, any of you who have not had an LED assessment of your house, I think it costs around \$100, I've done it. It's really worth it and you can save yourself, even on a personal level, some bucks. They come in and they do everything. It's like thunderbolts. They are all over your house with bulbs and insulation. So, the LED thing is really worthwhile. It's long overdue at the Playhouse. I was a bit taken aback that they weren't so energy efficient.

You all know how the system works so I don't need to go over that. The other entity you might be a little less familiar with. Just a personal on the Playhouse, my association with the Playhouse goes back to being a high school student at Staples and being an usher there. We got to watch the shows for free. But, let me tell you, the parking lot was not exactly cool. The other entity that I have been asked to cover is Homes with Hope. Some of you may not know that Homes with Hope sponsors three homes on Wassell Lane, almost in my backyard. Also, just a little sidelight that I think is poignant. Wassell Lane was named after the three Wassell brothers. The Wassell Skyler family was a very prominent family in Westport; however, three out of the four sons were killed in World War II. So, I've always had a soft spot for Wassell Lane being around the corner. Their grant, \$24,500, will cover putting in energy efficient windows in one of the houses. I think they want to do one each year but that wasn't specific. I think it's a very worthwhile thing. The house is occupied by a single mother with children and this will be a very significant conversion to have good windows that eliminate drafts. In closing, these are clearly non-profits that make a significant contribution for those in need, particularly those in Wassell Lane. I hope you'll support this unanimously and thank you for listening.

Mr. Wieser:

Thank you Ms. Gertzoff. We are essentially endorsing these organizations so it's good to have that background.

Ms. Bram:

I won't do nearly as thorough and as good a job as Ms. Gertzoff did and we don't play a role in deciding on the validity of these. All of these projects are targeted toward energy and resilience. As I said, they do qualify. The ones that I've looked at are the Saugatuck Cooperative which is the building that used to be the Saugatuck Elementary School that I really didn't know much about. It's all about application for infrastructure requirement which is for energy efficiency. For background, Saugatuck Cooperative is that building which is for affordable ownership for low income and elderly. Too many of us probably qualify for it but some of you don't. The Parent Child Center is also providing programs for solar energy and energy resiliency. So, we do vouch that they are qualified applicants.

By show of hands, the motion passes unanimously 33-0.

The secretary read item #7 of the call - To ratify the decision by the Planning & Zoning Commission to "Opt-Out" of Accessory Dwelling Unit Requirements per Public Act 21-29.

Presentation

Danielle Dobin, Chair, Planning and Zoning Commission

I was just told about this meeting three hours ago so I apologize in advance if I am casually dressed and unprepared. No, not unprepared. Matt, is this the parking or the ADU's that we're dealing with first? [ADU's] The State Legislature adopted a bill HP107.

It is Public Act 21-29 which was an amendment to the State's Zoning Enabling Act. One portion of this Act changed regulations across Connecticut to permit Accessory Dwelling Units, basically a separate little guest house and accessory apartments as a right which means they can't require a special permit in every town in Connecticut under certain circumstances. They provided an opt out. The Planning and Zoning Commission of Westport had previously and separately adopted our own regulations developed here in town with regard to accessory apartments and ADU's that were different in some material ways from the State Law. Because of this and because the Commission reviewing the law felt that the regulation that the Commission had developed and adopted itself was superior, we chose to opt out of the State Law. The way in which they are different basically relates to size and height. The State Law basically treats all ADU's the same as single family homes. The State Law does not allow differences in how those two types of housing are treated for height, size, scale, etc. So, the Westport ADU regulation limits the height of ADU's and treats the height of ADU's as measurable by overall height which is just the way we measure ourselves when we measure to the top of our head. For single family homes in Westport, we actually measure height to the midline of the highest point which incentivizes the New England style roofs that you see. If we allowed ADU's to be measured to the midline, they would be really high which is the way our single family homes appear to be versus our regulation in which ADU's are limited to be I think it is 26' with a sloped New England style roof and only 16' for a flat roof. Our thinking was we wanted to limit rectangular or square towers in people's backyards trying to maximize height. Another way in which the State Law is different from the Westport regulation is FEMA compliance. Obviously, the Westport regulation requires FEMA compliance; however, single family homes benefit from a bump up. If a single family home is in the flood zone, then that single family home, owner or developer, is permitted to build to 26' to the midline but they receive a bonus for FEMA compliance plus one foot of free board which is why when we walk around Saugatuck Shores or Compo, we see houses that are elevated, basically on a podium. The Planning and Zoning Commission felt that this was a really terrible idea for ADU's which are going to be closer to people's backyards. While ADU's are permitted in the flood zone and they have to be FEMA compliant, there is no height bonus for FEMA compliance which means, for example, a friend in Saugatuck Shores or a neighbor wants to build an ADU in their backyard, it can only be 26' overall. That means if the first 10 or 11' is FEMA compliant and it can't be used for habitable space, there is just a single floor above that podium but the single ADU doesn't get to be much higher. Another way in which the State Law and Westport's home grown regulations differ is with regard to the size of the ADU. The State Law permits a 1,000 sf footprint overall, regardless of the size of the lot. For Westport, the Planning and Zoning Commission thought it was important to relate the size of the ADU to the size of the lot. An ADU with a footprint of 650 sf is permitted on a lot of 1 1/2 acres and below. An ADU with a footprint of 1,000 sf is permitted on lots that are larger than 1 1/2 acres. Again, this is just another way in which we are doing things a little bit differently. A really important difference which I think you'll find interesting is that in Westport in order to incentivize and allow people to build ADU's who are on the smaller lots, the P&Z actually provided a coverage bonus so anybody who is on 1 1/2 acres or less can build up to 650 sf and you receive a coverage bonus of up to 350 sf. The reason we did this is because until

this law was adopted, people were permitted to build pool houses or accessory structures, not dwelling units, of 300 sf and the last thing we wanted was residents who played by the rules and built that 300 sf pool house with only two plumbing fixtures and have them feel that if they had only waited, they would have been able to build something 650 sf. The town wasn't looking out for me even though I was dotting the i's and crossing the t's and asking for permission instead of forgiveness which I think, as I think you know, a lot of our neighbors will ask for forgiveness instead of permission in advance. We really wanted to take care of those residents which is why we did this. So, there are a number of material differences. I am obviously not at all objective because I was a big part of drafting our ADU regulation but we had a tremendous number of meetings. Many of you were there. We walked through all of it. It has been really successful. We see them going up all over town. There are certainly not a flood of them but they are happening now which is exciting to see. The choice before you tonight isn't to tweak the Westport regulation. The regulation is what it is. It is just a question of whether this body wants to support with a 2/3 vote the opt out from the State regulations so we will retain our existing regulations or instead not opt out; therefore the State regulation would then replace the existing Westport regulations. I am obviously available for all your questions.

Committee report

Planning and Zoning Committee, Mr. Mandell, Chair:

RTM P&Z Committee met on March 29, 2022. Attending: Mandell, Kramer, Batteau, Braunstein, Lautenberg, Keenan. P&Z Attending: Dobin (Chair), Perelli (Deputy Director), Bamonte (town attorney). Item: To discuss and make a recommendation in regards to the P&Z decision to "Opt-Out" of Accessory Dwelling Unit Requirements per Public Act 21-29. State legislature created a law to allow for Ancillary Dwelling Units (ADUs) to be allowed to be built in towns under certain rules and regulations. This law allowed for an opt out by towns if they so choose. P&Z Chair Dobin said we have our own ADU regulations, that were tailored and work for Westport. It limits height more specifically. This stops monolithic towers and other non-commensurate issues. It also deals with ADUs in flood zones and limits footprint based on lot size. She said, "We believe Westport's regulations are superior." She outlined a bit of what the state required. Must allow for ADUs. Not larger than 1000sq footprint or 30 percent of main building. Must not be required to be affordable. Not considered new use for sewer and fees. She explained that such size and height, especially in FEMA flood zones was too large for many smaller lots. She said the possibility of 42' monolith in Saugatuck Shores was possible under the State's rules. Westport's regulations control such height and also allows for two different sizes based on size of lot. 1.5 acres and below allowed for 600sf larger (I think it is 650 actually) and for lots above 1.5 acres would allow the state's 1000sf size. Westport has a coverage bonus to allow 350sf of coverage to offset existing pool houses and the like on smaller lots. Westport offered this as an incentive. She said, one size fits all rules from state did not work. But that Westport almost makes it easier to build and ADU. As to what was the charge of the RTM: Attorney Bamonte explained that the bulk for the work towards the opt out was already done. There was a public hearing held by P&Z. P&Z voted to opt out. It was now up to the Town's legislature, the RTM, to vote. This vote must be 2/3 of those RTM members attending and voting. It was noted that

Towns could opt out without having any ADU regulation. Westport has embraced the spirit of the State law, but shaped it to fit our town. The State law allows for hook up to current septic and water as a way to remove roadblocks, but this does not usurp Health Department rules. There were some RTM questions and answers encapsulated in the above and no public comment. Motion by Braunstein, Second by Kramer. Vote was 6-0 to recommend to the full RTM that Westport opt out of the State requirement.

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That the decision by the Planning & Zoning Commission to "Opt-Out" of Accessory Dwelling Unit Requirements per Public Act 21-29 is hereby ratified.

Members of the RTM

Nancy Kail, district 9:

Thank you Danielle and the P&Z and thank you to Matt and the members of the P&Z Committee. I feel like we're in such good hands. Surprise, surprise, the town of Westport's ADU rules are superior to the State's. I am totally in favor of the opt out proposal and I am totally in favor of these great regulations regarding ADU's. I am wondering about other regulations that prevent short-term rentals for ADU's to prevent Airbnb type situations taking over neighborhoods.

Ms. Dobin:

That's an excellent question, Nancy. A part of our ADU regulation addressed that issue head on. ADU's that are built pursuant to the regulation cannot be rented for less than a six month term. We adopted that regulation because the proliferation of Airbnb's can drive up rents and the whole idea behind this is to 1) Create flexibility for people to utilize their property for themselves and their guests and also to provide naturally occurring more excessively priced housing but the Airbnb option actually does the opposite so we did address it. It is part of the Westport regulation.

Ms. Kail:

Can I ask about the period of six months versus a summer rental? I'm curious to know how you felt about that.

Ms. Dobin:

Sure. We did six months because we received testimony from certain teachers that it was what made the most sense. Generally, people in Westport who occasionally rent their houses in the summer do so and there hasn't been a huge hue and cry about it from neighbors for the most part. When there is, when there has been advertising about using a home for a banquet or an event, typically, a letter will go out from the Department have not found that it is a big issue and if it ain't broke, don't fix it. We really didn't want to get too in depth with regard to regulating something that seems to regulate itself pretty well right now. Obviously, in the future if there is a quality of life issue because of Airbnb, that is something we'd have to address. But most of the

summer rentals right now seem to be people renting out their primary residences not building an ADU in order to rent it out.

Sal Liccione, district 9:

My question is how many ADU's are in town and how many are being built? Do we have any numbers yet?

Ms. Dobin:

No. I would never be able to predict how many will be built because it depends. I can tell you that the first spec builder is creating one. SAR had included an ADU on a project that they are doing so they are beginning to be incorporated. I think we have had six or seven applications but one of the reasons I am happy to be talking to you tonight is part of what we're trying to do is educate people. As many of you know, we floated our draft affordable housing plan and some of the comments that came back were that Westport should allow ADU's which, of course, we make very clear in the plan that we already do. But because they were illegal for so long, it was illegal for someone to have a kitchen or to have three plumbing fixtures, we are still reeducating people. So, Sal, anything you can do to help spread the word for people to know that they can create a guest house will help us to see more applications to create them. There hasn't been a flood of them but a nice, steady trickle I would say.

Wendy Batteau, district 8:

I attended a couple of meetings about this including the P&Z meeting. A lot of numbers get thrown around just because this is about statistics and proportions and so on. I think we can look at it from another perspective which is home rule versus State intervention and what our Planning and Zoning Committee knows what's best for us. Obviously, they are more in tune with our values than general State Planning and Zoning people are. This is not about whether or not we're going to tweak their rules but simply whether or not we're going to let the State dictate to us some numbers and provisions that are not to our advantage and take the carefully planned and minutely detailed descriptions and plans that Planning and Zoning has made. And having gone over every single detail that people have gone over, I think that our Planning and Zoning plan is infinitely better than the State plan and I would just recommend that everybody not get confused by the numbers that are thrown around about roof pitches and all that but just understand that it is a far superior plan for Westport than the State one is.

Ross Burkhardt, district 3:

I don't know whether this meeting was held after I was appointed to the RTM but I am a member of the Planning and Zoning Committee. If I had been at the meeting, I would have voted against the resolution to opt out. While I think there are some really great features of the accessory apartments legislation that the P&Z has, I think that some of the things that affect limitations on units, size and other things, really become a real problem. I am recommending that we vote against it.

Lori Church, district 9:

I have two questions. Is there a time limit for the opt out? Is it good for one year? Is it good indefinitely?

Ms. Dobin:

It is good indefinitely but if the P&Z chose to amend the Westport regulations mirror the State regulations, we could do so at any time. I always explain the Westport regulations as living and breathing and subject to amendments. So, we could opt out but we could adopt something if we found out that ADU's could be taller than we are permitting them to be then we could change that in the future.

Ms. Church:

Part B of that question is moot. I was going to ask if it was reversible. My second question is if we opt out, are there any ramifications from the State, loss of money or issues if we opt out?

Ms. Dobin:

That's an excellent question. There are no ramifications at all for opting out. I have had conversations with people from the Department of Housing and they are so delighted that we have adopted our own regulation which allows an ADU in every single zone in Westport, every size residential zone from the smallest to the largest. Everybody from the Department of Housing to people in Washington trot out Westport as an example because across the country communities are facing this unknown idea of permitting guest houses when they've never been allowed. We allow them as a right in Westport. People say "Westport?" It's really a terrific way for housing advocates to persuade other communities across the country that ADU's in guest houses are not something to be afraid of. So, we've already had positive reaction from the State and they understand that it's not that we think we are better, it's just that we are prone to floods, we have such issues in terms of height, drainage, etc. that this regulation makes a lot more sense to us than the broader terms that are contained in the State act.

Ms. Church:

In summary, there are no negative ramifications or actions. Thanks Danielle for your answers.

Mr. Mandell:

The P&Z needs to be commended for what they've done. They took the bull by the horn and set up the ADU's prior to the State dictating that we're supposed to do it. We did it on our own. What Danielle just said, the rest of the country is looking around and said 'Wow, Westport allows it.' The rules that were created we tailor made to work with what we have in our town not that they shouldn't be here but if they are to be built, they work well for our town. Danielle sent around some photos to me showing what an ADU could look like. Some have been built – a 42' monolith next to a house and it looked ridiculous. But that's what the State rules would have allowed. Instead, our P&Z tinkered with it, massaged it to make sure that it would look appropriate for our town. No one is saying that there shouldn't be an ADU but it should look reasonable for our town. I think that's what they've done. The bigger question here is not whether or not we should opt

out but why are we here in the first place. Why do we have to take a State regulation and say 'No, we don't want to do it.' So, there are two parts to this. First of all, why is there an opt out? It is because the State Legislators that we've elected did a good job and other towns did a good job in making sure that what's going on in the State allowed for the opt out. Because it just as easily could have been, without the negotiation that occurred, no opt out. Section 8-2 of the State Regulations give us the authority to zone but they can manipulate it as they choose. They can take it away as they choose. They can make modifications as they choose. But because of negotiations by our elected officials, we got to opt out of this and the next one you are about to see. But why are we here in the first place? Everyone understands there is an affordable housing problem. There are people who need housing that can't get it. The question is how is it supposed to be created? Is it supposed to be done from a top down level with the State telling us how and what we're supposed to do or should they be handing it to the towns to do it on their level, to figure out how best to do it for ourselves. Westport has always been on the forefront of creating affordable housing. Westport was creating affordable housing before 8-30g came out. Sometimes we don't get the credit for us doing it. In the past few years, we have created hundreds of units of affordable housing because of our inclusionary zoning. Still, at the State level what's occurring is they want to do more. Two things that have occurred in the last two years, you've heard about the TOD Regulations; you've heard about density of 15 units per acre within a half mile of the train station which is a one mile across swath that would make 15 units per acre as a front. Will there be an opt out if they vote on that in the future? We don't know. Will they even vote on it in the future? We don't know. But the issue that we have here is that the State is trying to fix a problem of affordable housing by saying they know best what to do. Instead, we have a P&Z that has been doing a damn good job of it and we should be backing them up here and in the future and continue to do what we are doing. Let me give you one thing that may give you a little bit of a scare. One of the concepts that has been floating around is called "fair share". The concept is that there are 130,000 units of affordable housing that are needed in the State. How do we then create 130,000 of affordable housing? The Office of Policy Management is supposed to be assigned the responsibility of then figuring out, parsing out, per town by its size, its wealth, how much affordable housing has been created and then saying how many units each town should create. Westport currently has about 10,500 units in town. The fair share that they are probably going to allocate, if this ever came to pass would be 1200 units of affordable housing. That's 1200 units compared to the 10,500 units we have. That's 10 percent greater than what we have. But it's not just affordable housing. Affordable housing can't be built unless there is market rate housing because no builder is going to come in and build unless there is a profit motive for it.

Point of order, Ms. Batteau:

Could we get back to talking about the opt out for the ADU's?

Mr. Mandell:

Wendy, I believe I am explaining the reason why we have to be opting out. I think this is pertinent information for everybody here to understand what's the basis for what's occurring. This is just one vote of many that might be coming before the town.

Ms. Batteau: But it's the one that we are talking about now.

Mr. Mandell:

If you don't want me to talk about it I can stop but I think it's pertinent to the issue.

Ms. Batteau: As you will.

Mr. Mandell:

I will quickly sum up. Twelve hundred units of affordable housing is what the fair share would be. Mathematically, if you figured out how many market rate units that would need to be created to create 1200 affordable units is 6,000. Six thousand units of housing would be dictated by the State for the town to create to alleviate the issue of fair share. A town of 10,500 units would have to build 6,000 more units. The question is will it still be Westport? Is that a reasonable thing to do? I say that we are on the right path. The town is doing the best job that it can. It is creating affordable housing throughout inclusionary zoning and creating ADU's and every other aspect that we're doing. I just wanted to let you know what the State is doing.

Mr. Tait:

My only concern is and I don't know if there is an answer to it, when I look at this and I know we're talking about affordable housing, from a developer's perspective. Buy a house, rip it down, build a new house and now we can build an ADU on top of that for maximized rental income. That has no effect on affordable housing if the ADU is going to go for \$2,000 or \$3,000 a month. Can that be dealt with from a P&Z perspective? I'm not sure. I agree that we should control it so Danielle I applaud you on that but going forward if there is some thought about the developers looking at this and they are saying to themselves, is this going change affordable housing in Westport? No, the ADU's will just add to the housing to the total cost of their investment. The investor rents it out for maximum price so we get nowhere.

Ms. Dobin:

Two responses: Number one, the ADU regulation that was adopted by the P&Z actually precludes somebody from renting out the primary dwelling unit and the ADU. Either the ADU or the primary dwelling unit can be rented but not both. So, if a senior citizen decided to create an ADU and they wanted to move into that ADU because it is ADA compliant, then they could rent out their primary home. Or, alternatively, somebody could live in their primary home and create an ADU and rent it out. A part of the regulation was also allowing accessory apartments which is when it's a basement or a third floor apartment or any part of a house which is actually a lot more affordable to create because you're not building a new structure. With regard to an investor buying and renting out both, that can't happen. There is protection against that. With regard to cost, even if an ADU is rented out, number one, most people building ADU's are building them on their own property. We have a woman who is divorced and she is building an ADU on her parent's 2 ½ acre lot to live with her family. That is much more typical to build for their parents or for their adult children, etc. But, separately, even if

someone builds an ADU and the rent it for \$2,000 or \$3,000, that's really different price point than houses in Westport that often now, as most of you know, which are renting for \$20,000. Even though something isn't technically affordable, it is a lot more accessibly priced. But the primary reason that the P&Z had for adopting this regulation was really to provide flexibility for people to use their private personal property, their homes and not necessarily to create technically affordable housing because it doesn't qualify for affordable housing. Fortunately, part of this State law, even if we opt in or opt out, is language that very specifically exempts ADU's from counting against towns from 8-30g points. ADU's are not counted as overall dwelling units so every time we talk about 8-30g and the ratio of affordable housing, we're looking at the number of dwelling units based on the census data but ADU's do not count as a part of that. The State wanted to make sure that towns wouldn't feel as though incentivizing ADU's would hurt them with compliance with 8-30g. It doesn't help us but it also doesn't hurt us and I would not want to deed restrict or do anything else because, from my perspective, I want everyone in this town to have the flexibility to create a guest house if they want and then to be able to use it for their family or rent it out for income if that's what they want to do and have the freedom to do so without a regulation especially since it doesn't hurt us with regard to 8-30g compliance. So, I hope that alleviates some of the concerns that you have.

Mr. Tait:

Thank you Danielle. I think that covers the concerns that I had from the developers and the investors. I just wanted to make sure what you are saying is the reality on the ground. I appreciate that you're on top of that because I think you know as well as I do and everyone else here the concerns we have as we move forward making sure this is what we plan on doing and the State knows what we're planning on doing. So, thank you.

Ms. Lautenberg:

I'm on the P&Z Committee so I was able to participate in this conversation initially and I just want to get us back on track about what we're talking about right now, what we're about to vote on because this whole topic of affordable housing is a big one and one that I think that people should be interested in and should follow but I think the best way to follow that is to attend some of the upcoming P&Z meetings on this topic. I just wanted to remind you that these ADU's, they are here to stay whether we regulate them or the State regulates them. We are not voting on whether they are going to be built or not. We are simply voting on whether our P&Z gets to regulate it, our town gets to regulate it or the State gets to regulate it. I want to bring that point home and encourage people to follow the bigger conversation about the affordability of these units and housing along with the P&Z at some of their public meetings. I fully support this because I have a lot more confidence in our P&Z to regulate this than I do for the State.

Mr. Burkhardt:

I just want to question Matt's statement that if we do the fair share approach that comes down as some legislation that it's going to mean that we're going to end up with 6,000 new units of housing in town. There are developers that can finance 100 percent of their

units as affordable. There is financing out there that can make that happen. I do agree that we need to have a broader discussion and I agree with Ellen and other people that we are really debating about the opt out. I still think that we could come up with a better ADU legislation for the town that comes much closer to what the State's legislation is trying to accomplish. That's it.

Mr. Mandell:

Danielle, if you could just explain what is happening tomorrow at noon to follow up what Ellen was talking about. I think that would be helpful.

Ms. Dobin:

Sure. For those who would like to engage in a robust conversation about affordable housing, I hope you will join us at noon. We will have a community-wide conversation sponsored by the P&Z's Affordable Housing Subcommittee. The draft affordable housing plan for the town has been posted on the town website. If you go to the P&Z Department, westportct.gov, you will find it, view it. You will be happy to know that we drafted it ourselves so even though the Board of Finance offered us \$76,000 for an outside consultant, we did all the work ourselves internally. I hope you all take the time to review it. Tomorrow is a great opportunity to provide some specific feedback on the ideas or to ask some questions. So, I hope you'll join us there and the P&Z is scheduled, I think it is in early July to adopt the plan formally at a public hearing. We will of course have more conversation available before we are adopting it. We are not absolutely going to be adopting it at that date. It depends on whether there are changes that we want to continue to make to it but the draft is published already. It has been up on the website for some time. Read it and I hope you'll join us tomorrow. You can talk all about all sorts of different affordable housing.

Mr. Mandell:

Thank you Danielle. Let's knock this one off because we have another one right behind it.

By roll call vote, the motion passes 30-1. (21 votes required)

Opposed: Burkhardt

Absent: Keenan, Meiers Schatz, Braunstein, Talmadge, Shackelford

The secretary read item #8 of the call - To ratify the decision by the Planning & Zoning Commission to "Opt-Out" of Multi-family Parking Requirements per Public Act 21-29.

Presentation

Ms. Dobin:

Thank you Mr. Wieser. Part of the same public act that amended the Zoning Enabling Act, the State Legislature adopted new and different parking requirements for multi-family apartment buildings across the State but, again, they provided opt out. First I am going to review the differences between the State Regulations and the Westport

Regulations so that you can understand them before I talk about why the P&Z Commission opted out of adopting the State Regulations. The State Legislation adopted these requirements which reduced the number of parking spaces in multi-family buildings. Studios and one bedrooms, under the new State Regulations would only be required to have one parking space per unit. Westport currently requires 1.75 parking spaces per either studio or one bedroom unit. Two bedroom units, pursuant to the State Law would have a maximum of two spaces required. Westport requires 2.25 spaces. Three plus apartments would have two spaces per unit per State Law. Westport requires 2 ½ spaces per unit. For public senior housing, Westport requires .75 spaces for each of the dwelling units. The P&Z unanimously opted out for several different reasons. First off, we felt very strongly that it's important to insure that everybody who lives in Westport and relies upon a car has adequate parking. We didn't want to create a two class system where there is inadequate parking for people who live in apartments but plentiful parking for people who live in single family homes. The State Regulations, for example, do not provide for enough parking for a couple in a studio or a one bedroom, each with their own car, to park both of their cars at their new building. I know from my experience working and living in Westport that most couples who live in smaller apartments in Westport do, in fact, have two cars. Many of our apartment buildings are located on Post Road East or along Post Road West where there is absolutely no street parking available. The consequence of adopting the State rule would be for a couple who lives in an apartment in Westport to all of a sudden find a great deal of stress and anxiety in finding a place to park their car. It's really important for the Commission that our neighbors who live in apartments can also host family events and one of the really great benefits of our parking regulations is that when people live in an apartment building they can still host Thanksgiving dinner or they can have a Super Bowl party. They can invite another family over for dinner because there is guest parking provided so, again, there isn't a two class system where people who live in an apartment are all of a sudden not able to host friends, family get-togethers the way that people who live in single family homes can. We also, as a Commission, didn't find compelling the justification for reducing parking which was essentially this idea that somehow magically, apartments, if they don't provide sufficient parking for people who live there will be less expensive and become more affordable. We didn't believe there would be any meaningful reduction in rents if less parking was required because developers will naturally charge as much as the market will bear for rent. They are not going to charge less for rent because their costs were less if they can get away with charging more. I am not saying that's anything negative, that's just how our capitalist system works but even if they can build a building for one dollar versus two dollars, if they can charge 50 cents for rent versus 25 cents for rent, they are always going to charge 50 cents. Lastly, there is this idea percolating that if parking is eliminated, people will rely less on cars and rely on public transportation which makes so much sense in a city like San Francisco or in New York City but in Westport, where there is a distinct lack of public transportation, particularly point to point transportation where somebody who lives in a space on the Post Road and can get to work somewhere in Stamford or in Norwalk or Bridgeport, someplace that is not served by public transportation, having them find it stressful or difficult to park their car is really not assisting them to live their life here and feel as though they can live, work, play, etc. Similarly, with regard to bringing kids to after

school activities and sports, accessing our public amenities, there is just not a huge amount of access. I know that Peter Gold is working hard on it but, right now, that connectivity just doesn't exist throughout the State of Connecticut. Removing the parking so that we can hope people will access public transportation really just seemed to leave people in a situation where they would be taking two buses to try and get to the grocery store and lugging everything home and that just didn't seem to us to be the right thing to do. That is some of the reasons why the Commission opted out of adopting the State Regulations. Again, the Westport Regulations are living and breathing and if, at some point, there is enough connectivity or there's development in a location where people can truly walk to bring their kids to school, walk to the grocery store, walk or take public transportation to get to work, rely on public transportation to get to the doctor's or to bring their family members to the doctor's, and of course this could be revisited. It was really important for the Commission to insure that people who live in apartment buildings in Westport have the same quality of life as everybody who lives in a single family home and is able to easily find a place to park their car and for their friends to come over, as well, and park their cars there. I am, of course, available for questions if you have them.

Committee report

Planning and Zoning Committee, Mr. Mandell:

RTM P&Z Committee Meeting March 29, 2022. RTM Committee Attending: Mandell, Kramer, Batteau, Braunstein, Lautenberg, Keenan. P&Z Attending: Dobin (Chair), Perelli (Deputy Director), Bamonte (town attorney) The item discussed: To discuss and make a recommendation in regards to the P&Z decision to "Opt-Out" of Multi-family Parking Requirements per Public Act 21-29. State legislature created a law to allow for reduced parking requirements for multi-family projects as a means to decrease the cost of housing and promote more walkable communities. This law allowed for an opt out by towns if they so choose. P&Z Chair Dobin explained that P&Z felt this did not fit the actuality of our community. First that market rates would prevail for housing and that less parking would have no affect on pricing of units. That this would create two classes of residents; those that use cars and those that don't. That if they did have cars there was not on street parking available to accommodate such a situation. People in homes would have plenty of parking, but those in condos would not. That guest spots are needed for a fuller sense of living and that most people support the idea of having enough parking. It was also noted that mass transit infrastructure is not in place, nor will it be in town to have people without cars utilizing and enjoy living in our town. Westport requires more parking than this new state rule and thus opting out of this provision was warranted. As to what is the charge of the RTM: Attorney Bamonte explained that the bulk of the work towards the opt out was already done. There was a public hearing held by P&Z. P&Z voted to opt out. It was now up to the Town's legislature, the RTM to vote. This vote must be 2/3 of those RTM members attending and voting. There was some discussion on this issue by RTM encapsulated in the above and no public comment. Motion by Lautenberg, Second by Kramer. Vote was 6-0 to recommend to the full RTM that Westport opt out of the state

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That the decision by the Planning & Zoning Commission to "Opt-Out" of Multi-family Parking Requirements per Public Act 21-29 is hereby ratified.

Members of the RTM

Mr. Gold:

I need to recuse myself on this issue. As the Director of the Transit District I have a conflict of interest. I will not be voting on it; however, I would say that investing in more parking to the detriment of public transit is a self-fulfilling prophecy. We'll never get more transit if we don't invest in transit and limit parking. There was an article in the *New York Times* about three days ago on the op ed page that made that exact same point. I commend it to you all. Danielle, I sent it to you as well. Quality of life, yes, those people are certainly entitled to a quality of life that's good. More parking means more traffic which is a detriment to everybody else's quality of life. There has to be a balance between the two. I'm not sure where that lies. Less parking could indeed, I believe, more affordable housing because with less parking you could put more units per acre of land because you don't need to put parking on it. With less parking, you should be able to get more units on it and it would be cheaper. With respect to these regulations, I imagine you could differentiate parking in different areas in Westport. For example, affordable housing or apartments down by the train station where the lots are empty at night and you can park for free after 3 p.m. could probably stand for smaller parking requirements not like up by North Avenue or Bayberry Lane or someplace like that. I recuse myself.

Ms. Dobin:

If you reviewed the affordable housing parking plan that is on the website, you'll see that one of the lots that is identified for potentially more dense development is actually the Homes with Hope series of parcels that is located on Powell Place recognizing some of the parking lots at the train station for parking for those folks so that those lots could be more intensively developed potentially because there wouldn't have to be parking spaces providing more land to create more apartments for very low income housing with services. The P&Z is looking at utilizing municipal parking for other parking opportunities to supply parking when it makes sense but we didn't feel it made sense as a broad stroke across the town on every single lot where there is multi-family building.

Ms. Church:

In order to help me vote, Danielle, I'm sorry I should know this but I don't yet, is there a broad rule in Westport about the number of spaces or does it vary depending on location?

Ms. Dobin:

There are broad rules. What I was referring to before are the rules. Sometimes they change because they can be site specific and there are applications that come in front of the P&Z where people ask for what is called parking relief. Sometimes it's for retail. Sometimes it's for medical. Sometimes it's for multi-family. But these are our general

rules that were developed to essentially insure that everybody who lives in Westport has adequate parking.

Ms. Church:

That answers my question. Just to clarify, will some of those special permissions, will it be a little bit easier or will P&Z now consider this, their applications, in a more lenient light depending on where they are built? If we opt out, will this change...will opting out change how the P&Z looks at some of these special requests?

Ms. Dobin:

I don't think that opting out will change anything because this particular P&Z, and the P&Z, like the RTM is always changing on who is serving, but this particular P&Z, in my experience, looks very specifically at each project individually and is very reasonable so if there is a rational argument that less parking is necessary because of any particular project, this P&Z is very open minded about that but, similarly, if there is a project where the typical parking that is required makes sense, then certainly no one is going to volunteer to change it to reduce the parking. But we have a lot of projects in our Inclusionary Housing Zone and those developers are able to create 20 percent affordable housing and also abide by these parking standards for the most part.

Ms. Shaum:

Danielle, my big concern with all of this is we are just building and building and building and just paving and paving and paving parking lots everywhere. I hate seeing the trees go down. I hate seeing the open space disappear. I feel like I'm in the Laurax and it's going to be all smoke stacks before we know it. That's my feeling about all of it. It feels so depressing to me. With regard to parking, I'm guessing that a lot of areas of Westport, there can be underground parking which would help alleviate some of my stress about the parking lots because of water tables. I know where I live I don't have a basement. I don't know how anybody could build an underground parking lot here. I wonder if you could speak to that and also to...are any of these projects going to be built with double decker housing where the footprint would be the same but there is just another layer versus wider, deeper lots.

Ms. Dobin:

Just to clarify what we're talking about, the State adopted new parking requirements for every town in Connecticut. All we're talking about in this meeting is whether or not the town wants to retain our existing parking requirements or adopt the State requirements. None of it speaks to whether the parking is subterranean or...

Ms. Shaum:

I know that. I'm looking at the numbers. If you build two spots for each apartment, which means you need twice as large a space.

Ms. Dobin:

There is a fair amount of subterranean parking. Larger projects can have subterranean parking so a lot of the parking at Hiawatha Lane, for example, is subterranean. There

are buildings and there is a common green and the parking is underneath it. There are several proposals for other projects where parking is hidden or underneath, etc. But it really depends on each specific project. I can promise you if we told developers they could build two car spaces and then go up four more stories, they'd probably be thrilled but we generally try and limit the height so we don't necessarily think it is a positive idea for developers but it is always a push and pull but basically it requires a certain amount of parking for each apartment and limit density on a lot which is a point somebody made before. I think Peter did. If you have fewer parking requirements, you can build more apartments without having to create the parking. The problem is when we live in a community where there is very little public transportation, where do those people park their cars. So, right now we don't have street parking for a lot of Westport. We would probably have to change the parking for the people who live there. All of a sudden, all the roads leading off the Post Road would have to allow street parking for the people who lived in those buildings because there is nowhere else for them to put their cars and they are going to have cars right now. All of this can change in the future. We are focused on the now. We always have the opportunity to review a parking plan. With regard to medical office, we recently adopted a text amendment allowing the use of parking management techniques which is basically valet so and existing office building could be used as a medical office building. Medical office requires more parking than an office because of the nature of how long people stay and visit their doctors. These four buildings that were included in the text amendment have a valet or other systems to help utilize more parking. So, for example, someone could propose a parking management plan in connection with multi-family so they don't have to create all the spots because there is still adequate parking for the people who will be using the space. I hope that answers some of it. The other thing I will point out is that in Westport, there are no buildings being built on open space so open space is different than undeveloped land. If you have land that you don't want to see developed, you can always have a conservation easement on it to preserve it. Sometimes we get complaints that say 'I can't believe someone is building on the park next door to me.' It's not a park unfortunately. It's an undeveloped lot. With regard to how much building is happening, I encourage you to come to our zoom meeting tomorrow for the Affordable Housing Subcommittee because the focus of the plan is trying to create lower density, greener opportunities to create affordable housing without as much market rate housing in order to insure that we are reducing our issues in terms of drainage and climate, etc. and at the same time we're providing more affordable housing than we would be doing otherwise.

Mr. Burkhardt:

I will also be voting against this. I already expressed my opinion on this at previous meetings. I just want to point out that this is not to say that someone who is developing multi-family housing has to limit their parking to one space. It is basically saying we can't require it. What it does is it says at least for some reasons a multi-family developer will not be asking for relief on parking if that developer believes with a three bedroom unit, for 2 ¼ spaces or 2 ½ spaces.

Mr. Falk:

Of course, the one P&Z meeting that I ever miss is the one I disagree with. The town has been agreeing to be Net Zero and yet we seem to be doing everything except build for it. One of the reasons we say we don't want to change the parking is because we don't have transit but we don't want to invest in transit because we don't want to encourage transit. I know you said you could go back to it and look at it later; although, this needs to be done by January so it could be looked at now and just come back to us. Why not review the parking standards again now and consider transit.

Ms. Dobin:

Number one: We did consider it. We had a big meeting about it which I'm sorry you missed, Harris but we decided the reduced parking across the board wasn't the right thing for Westport. I would suggest that if we are really interested in limiting the utilization of cars, the majority of Westport is single family homes. Rather than putting the burden on people in apartments to work out how to live their lives and they are a minority, with only finding easy parking for one car, why not adopt a regulation instead where people in single family homes can only have one car and there's no street parking? In that way, all of us in the room are the ones addressing this issue head on and we are going to bear the burden ourselves of the impact of not being able to find a place to park your car safely. I fundamentally disagree that if we want to make big changes across the board, we should put the burden on people living in apartments to be dealing with that in between time when we want people to use public transportation but we don't have that type of public transportation. So, I would start with single family homes. The P&Z Sustainable Subcommittee is drafting regulations right now to incentivize green building technologies as well as insuring more resilience in terms of climate change because we know with most of Westport zoned for single family homes, if we really want to effectuate change, we have to change the places where we all live and not put the burden on multi-family, specifically, people living in below market-rate units to have to make this change for the rest of us. Focusing on the single family homes is the way to really have impactful change in Westport. Just to clarify, I don't take it personally if people vote against things. Ross and I talk all the time about these issues. We can disagree. If two-thirds don't vote for it, it's fine. We have a substitution in the parking requirements where people are going to be driving around and this is where it came from. The Commission just tries to look at what the State adopts and do the best that we can do on behalf of the town. One of the things that we've learned to try to do is not focus on apartments and, particularly, affordable housing as having to do the work for the rest of us. So, with regard to the affordable housing plan again, not to get off track, but someone said to me 'Why aren't these sustainable? Why aren't you saying all affordable housing has to be lead platinum, etc.?' The reason is the same as I was saying with the parking which is we shouldn't be placing the burden for big changes in how we build and how we live our lives on this small amount of apartment construction that is going on in Westport as compared to the huge number of single family homes being developed and renovated, etc. in Westport. The Commission is trying to be really sensitive of not making something so expensive that you can't create it and also that, as a community, we are addressing these big issues as a community instead of writing regulations for other people that have to really do the hard work for the rest of us. Sorry

for the long response and, again, I really hope that everybody can come and be involved and read the draft report that's online and give us your comments about that.

Mr. Falk:

So, when will P&Z be addressing single family parking since it's not an RTM thing. It's P&Z.

Ms. Dobin:

I think right now there is no intention to do so. My suggestion to you is, rather than limit parking in Westport to the people who live in apartments, I think that we should look at parking for people who live in single family homes. But that is not something that I would support changing because there is not adequate public transportation in Westport nor do I think there is a desire by people who live in Westport to do it. But, Harris, if you wanted to draft a text amendment for that then you are more than welcome to bring it to the Sustainable Committee. We would certainly give it a hearing in front of the full Commission and you could see if there is any public support or Commission support for it. But I don't think the way to do this is to take the parking away from the people who, frankly, aren't at this meeting, don't know that this is being contemplated and for possible future residents of Westport to say 'You're going to live here but you're going to be treated differently from people who live in single family homes. If you are a couple, you have to share one car. If you are a family, your child probably won't have a place to park their car. And if you want to have people over for Thanksgiving dinner, you should probably rent a house because we are not going to have any guest parking available for you.'

Mr. Falk: You could also just put in that you would look at it every year.

Ms. Dobin:

Any time anybody comes to the Regulations Subcommittee or the Sustainable Subcommittee and asks for something to be considered, it can be considered. I'm sure you guys know you're going to have a late night. We have these three times a month. So, we are not going to add to our agenda to relook at the parking right now. The parking requirements are working for the people who live in our apartments. One of the members of the P&Z Commission lives in an apartment in Westport and he testified really movingly about this conversation about apartments to say 'I'm really happy that when I come home from work, there is a place for me to park my car. I'm really happy that when I want to host a dinner party, I can have guests over and they can park their cars in my building.' That was really helpful for the rest of us to hear. But if you have people in Westport who live in apartment buildings as a couple with two cars and don't want to have parking for their cars, they can come any time to a Committee meeting for one of the P&Z Committees, and talk about whether or not we should take another look. I just don't see that resonating with people who live in apartment buildings in Westport right now.

Mr. Wieser:

I think this could be a good conversation to pursue at the next P&Z Committee meeting perhaps but maybe we've taken this as far as we want to go on this topic.

Mr. O'Day:

What I would like to do is bring this very, very important conversation back to doing what's on the agenda. That is, do we want our super talented, highly intelligent Planning and Zoning Commission to be deciding or do we want the State to decide? I, for one, fully support having Danielle and her team decide. All these other issues are critical. I love Claudia's comment but the issue at hand is do we want to control our own destiny. I, for one, want to control our own destiny and I'm happy that Danielle is involved. So, I will vote yes.

Mr. Mandell:

I think Danielle has really explained well. She did in the Committee meeting and here again. I sit on two State committees, the Subcommittees of the Commission on Development and Future, one on affordable housing and the other one on model code which is looking at creating form-based code. Last week, came a debate on parking. A number of people saw the issue that Danielle and I have been talking about, the unfair aspect of creating affordable housing and then having people living there not being able to live the same way as everybody else in the town. It really went back and forth. Sitting on these committees, I'm getting a tremendous education, not just in affordable housing and how it works and how we're supposed to create it and how we can create it. But also, how the State thinks and people who are at the State level are thinking. It goes right to what Don said. Who do we want to be making decisions for this town, us or the State? The decision tonight is pretty clear, it's us and it needs to continue to be us and we need to be very vigilant on what the State thinks they want to do and what we know should be done.

By roll call vote, the motion passes 28-2.

Opposed: Falk, Burkhardt,

Absent: Keenan, Meiers Schatz, Braunstein, Talmadge, Shackelford

Recused: Gold

Mr. Wieser:

Thank you Ms. Dobin for staying with us and illuminating on this arcane subject. We will encourage everyone to show up tomorrow at noon and keep involved in the affordable housing conversation. So, thank you.

The secretary read item #9 of the call – To adopt a sense of the meeting resolution asserting that Westport supports the constitutional rights and principles established in Roe v. Wade and opposes the elimination of those rights by any subsequent Supreme Court decision.

Mr. Wieser:

Ms. Milwe will present and will introduce a few of the 20 sponsors of this request.

Presentation

Ms. Milwe:

At our last meeting, a flash came across our screen that Roe vs. Wade might be overturned by the Supreme Court. Quickly, momentum gathered among RTM members and within 24 hours we had 21 sponsors for a Sense of the Meeting Resolution. Tonight we have the opportunity to speak out and vote as a governing body that we believe in the right of a woman to choose. We will open the discussion with Candace Banks, Karen Kramer and Wendy Batteau. We actually have 23 sponsors because two people added on in the last few days.

Candace Banks, district 4:

Debating Roe for a long time was a very theoretical exercise and one I would have reveled in in my prior lives as attorney, law student, etc. Fast forward to now, I have two teenage girls at home and a looming Supreme Court decision that is basically transforming the landscape of healthcare available to them in this country. I know you will be seeing this in mirror image but I wanted everyone to take a look at this map and the long list of state restrictions that come under it. I want to just share with you some of the compromises and considerations that my daughters will have to make in a world post-Roe. Do they apply to Arizona State or Tulane or University of Michigan? After graduation, can one of them take that tech job in Austin, Texas? Or fast forward later, what about when my daughter is at her law firm in the first trimester of pregnancy and she wants to put her hand up for that great trial opportunity in Georgia but she might need a D&C so maybe she thinks twice about taking that job. I look at this map and I see a lot of lost potential. I see a lot of roads not taken and I don't think my daughters or your children should have to consult this kind of map before going to their dream school or taking their dream job or dream assignment. It represents a smaller opportunity set and smaller role for women to operate. It doesn't represent progress. It doesn't represent freedom. I think resisting it here in Connecticut is worthwhile because has huge potential to drain our children's choices too. I'm going to turn it over now to our colleague, Wendy.

Karen Kramer, district 5:

I think I'm next, Candace. I'm going to say why are we here tonight and making this a Sense of the Meeting? As Candace so aptly put it, her daughters, all our children, because the terrible possible overturn of Roe vs. Wade is a step backwards in time for the rights of choice for women everywhere in America. You shouldn't have to pick your job or college by looking at a map. We in Westport RTM are not going to change the world but it's very possible to someone listening that they might step up and help one woman in the south or one of the other states that may be going to shudder take away a woman's rights. The female who may be struggling with an unthinkable dilemma that forces her into an unthinkable choice due to rape, a fetus developing without life-sustaining organs or even just a mistake when she's young without resources to raise a child being a child herself. Please support this right to speak out everywhere in favor of women's rights. Perhaps we can help and change the life and circumstance of just one person. Please let's try and make a difference.

I promised I would read something for Seth Braunstein who couldn't be here and that should take one second. He wrote, Karen, please share my comments:

Although I am unable to be there in person this evening, I wanted to express my strong support for a woman's right to choose and my unequivocal support for the Sense of the Meeting being considered this evening.

Thank you from me and from Seth. Wendy, to you.

Ms. Batteau:

This isn't the place to get graphic about all the horror that the repeal of Roe vs. Wade will cause but in daily life, the repeal of Roe vs. Wade will cause the most pain and hardship in the lives of people who are now just trying to get by, some of the people that Karen mentioned. But the luckier people like us won't be immune to its consequences as Candace said. On a less personal perspective, repudiation of the rights and principles established in Roe will have far reaching negative impacts on American justice and life. Here are just two important examples: One, constitutional law experts agree that those rights and principles support "a woman's autonomy to determine her life's course and thus to enjoy equal citizenship stature." That is to say equal citizenship under the law for women. Two, they also legitimize doctor's authority to treat patients as they deem medically necessary rather than as a government bureaucracy directs them to do. Imagine the collateral damage if just those rights are repudiated. And there are so many more examples. So, what can we do? We can take our own advice. If you see something, say something. Don't be a silent bystander. We should declare our belief that the constitutional rights belong to every citizen and cannot be denied. Passing this resolution will not only reflect our values but back up and perhaps move those officials who are in a position to take more specific action. Not to pass it would certainly be making a statement not just from but about our community. So, let's do the right thing.

Members of the Westport electorate – no comments

Ms. Karpf read the resolution and it was seconded.

RESOLVED: That the Westport RTM supports the constitutional rights and principles established in Roe v. Wade and opposes the elimination of those rights by any subsequent Supreme Court decision.

Members of the RTM

Mr. Mandell:

Liz asked about what topics we would discuss and I chose men's engagement. It's on us to listen, to speak out, to take actions not because women are our mothers, sisters, wives and friends but because women are people and all people deserve to control their own bodies. As Cory Booker, Senator from New Jersey said "I am proud, yet appalled that I need to be one of the sponsors of this resolution. I am ashamed that our Supreme Court is poised to overturn what has existed for 50 years. This is not a women's issue. This is a human issue. The problem is that women bear the burden. The preponderance of emails that we have gotten on this issue is from women. It is unacceptable. We, as men, need to insure that women have the right to choose what they want to do with their

own bodies as we would do for ourselves. So, gentlemen, time to step up. We need to speak out and protect our mothers, aunts, sisters, nieces, wives and friends. It is their right to choose what they want to do with their bodies and we need to stand by their side.”

Mr. Colabella:

I never thought I would actually have to speak about this but I think it hit everyone. The safety within the private, sensitive choice a woman makes with her body is in jeopardy. I was asked to speak about personal choice and personal health by Liz Milwe and it helped me refer back to history because as a society, aren't we supposed to learn from history? Isn't that how we keep ourselves from making mistakes? Does anyone remember the law that was in China or the abundance of babies that were adopted from Romania, Bulgaria and Hungary? Have we not learned from history? It baffles me personally that with what has taken place that it would continue. Where abortion is illegal and highly restricted, women resort to unsafe means to end unwanted pregnancies including self-inflicted abdominal and bodily trauma, ingestion of dangerous chemicals, self-medication with a variety of drugs and a reliance on unqualified abortion providers. Sound, healthy policy is best based on scientific fact and evidence-based medicine. In the first 12 weeks where an induced abortion could take place, it could be administered by choice, it is an essential component of women's health care. Remember that it's women's health care. Like all medical matters, decisions regarding abortions should be made by patients in consultation with their health care providers and without undue interference by outside parties, whether political or not. It is your body. It is your choice. And that's how it's supposed to be. Like all patients, women obtaining an abortion are entitled to privacy, dignity, respect and support. If Roe vs Wade is overturned, that's all gone. That's despicable. Many factors necessitate or influence a woman's decision to have an abortion. They include, but are not limited to contraceptive failure, barriers to contraceptive use and access, rape, incest, intimate partner violence, fetal anomalies, illness during pregnancy and exposure to teratogenic medications. If you have looked at other states on the National Conference of State Legislatures, which is accessible by everyone here, you can see laws that are being created right now that deal with this. Pregnancy complications including placental abruption, bleeding from placenta Previa, preeclampsia or eclampsia and cardiac or renal conditions may be so severe that an abortion is the only measure to save a woman's health or save her life. The best health care is provided free of political interference in the patient-physician relationship. A personal decision made by a woman and her doctor may not be replaced by political ideology. The town of Westport has served in a non-partisan manner for decades. We have had multiple discussions and resolutions that were based on the concept that the law is based on the heart that is above all best to suit all possibly. And that is what we are talking about tonight. And this is where the RTM stands. With deontological individual choices and rights free from obstruction from those who believe differently. A uterus is no place for a politician to be sticking his head in.

Ms. Kail:

Beautiful Westport where we have three dynamic Selectwomen, women dynamos chairing the Board of Finance, boe and P&Z and highly regarded women comprising 50 percent of RTM's membership. I am so proud to be a Connecticut resident, a native Westporter and a member of the RTM. It has been a joy to serve on our town's non-partisan town council with colleagues who are collegial, talented and thoughtful. We respect the town legislative process and one another. There is healthy disagreement and debate. We also take our responsibility seriously because we know that the RTM has a big impact on virtually every aspect of life in Westport mainly through our votes on budgets, appropriations and ordinances. But when life changing global issues and events deeply touch the lives of all of us in Westport, they become local issues and the RTM can and should take action via Sense of the Meeting Resolutions. To me, this is part of our responsibilities as RTM members. These resolutions can have at least as much impact as our budget, ARPA funding or other decisions. I am proud of the RTM for passing recent resolutions such as racism, for example which was before my tenure. I was very proud to cast my own vote earlier this year on a resolution condemning Russia's invasion of Ukraine. I thank my RTM colleagues for putting forward tonight's resolution regarding the constitutional rights and principles established in Roe vs. Wade. Though I respect others who might disagree with me on the topic, I want those I represent in town to know where I stand on this pivotal issue. Once again, I am proud to support the RTM's Sense of the Meeting Resolution which is my opinion is a global issue. I believe that women's reproductive health decisions should be made by women and not by politicians. This has been the case for the last several decades and we are all better off for it. Let's keep it that way.

Mr. Burkhardt:

While I'm not a co-sponsor of the Resolution, I heartily endorse it. I think Matt Mandell's presentation was very eloquent. I appreciate what he said and fully support it.

Mr. Lowenstein:

The Sense of the Meeting before us tonight is not a simple one; however, it is more about the RTM than it is about abortion. Let me explain. Recently, the *Connecticut Mirror* did a survey of Connecticut residents and it showed a very strong support for abortion. But it was not universal, rather more nuanced. The range of responses was never: nine percent to no restrictions whatsoever: 34 percent. As Connecticut goes, how goes Westport? The 36 members of this body presumably have a range of opinions also. Could these potentially divisive opinions belong in an RTM meeting? I think not. Are there other potentially better venues to express those thoughts as I have already done and let people know how I feel on this subject? What are my options tonight? I won't vote no. I can't vote yes and I will not abstain. Instead, when the voting begins, I will leave the meeting not to return and will therefore not be there for the vote. The minutes will state what I have said.

Mr. Falk:

I would just like to say that I am offended that we have to have this vote. This should have...50 years, it should have been done. I am truly offended that we need this vote, but we do.

Kristin Schneeman, district 9:

I just want to thank the co-sponsors of this resolution. I was, of course, among them but I was pleased to check in my support. I don't think I have ever heard so many RTM members speak so passionately and eloquently on a topic serially. I appreciate all the comments you made on this very important issue. Obviously, I was not one of them because I can't talk about it without getting *ferklemp*. So, I just wanted to say thank you and I am wholeheartedly in support of this resolution.

Ms. Milwe:

I just want to say it's an honor tonight to be part of the RTM and I think the men tonight just rocked it. Every single person who spoke, I just felt it in my heart. I'm proud to be a resident of Westport and part of the RTM.

Mr. Wieser: Thank you for your efforts on this.

Roll call vote: 29-0

Absent: Keenan, Mall, Meiers Schatz, Lowenstein, Braunstein, Talmadge, Shackelford

Mr. Wieser:

Thank you all for a great outcome, a great discussion, a great evening, a very efficient evening. You helped us get through a lot of great stuff in a timely manner. I've just got to say I share Liz's pride in the group. We're a great, thoughtful group and I appreciate all the good, passionate thought that has gone into everything we did tonight. I also want to thank those who were able to march in the Memorial Day Parade. It was a lot of fun. I look forward to seeing all of you Thursday evening at an outdoor gathering. I am hoping that July will be our first in person gathering, July 5, our next meeting.

Ms. Milwe:

Thursday night, we're all celebrating all our hard work all year. Kristan and I have planned a great party. We're looking forward to everyone coming. It's going to be great weather in the evening and it's going to be fun. If you haven't signed up to bring something, go sign up.

Mr. Wieser: You can sign up under Kristan in the outlook.

Ms. Milwe: Six o'clock.

Mr. Falk: On number five, when was it decided to observe Juneteenth?

Mr. Wieser:

The business meeting has ended so we can cover that with Mr. Longo tomorrow. Sorry. I think we're all tired and we can cover that when we go home.

Mr. Falk:

I didn't think we had adjourned yet. I just wanted to add it to the record that I had that question.

Mr. Colabella: I move to adjourn.

Mr. Wieser: We can clear it up.

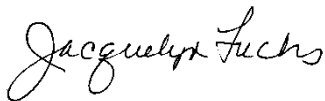
Mr. Falk: It wouldn't change my vote on it.

Mr. Wieser:

You couldn't change your vote. We've already voted. We're done for tonight. We'll talk tomorrow.

The meeting adjourned at 10:55 p.m.

Respectfully submitted,
Jeffrey M. Dunkerton
Town Clerk

A handwritten signature in cursive script that reads "Jacquelyn Fuchs".

by Jacquelyn Fuchs

ATTENDANCE: June 7, 2022

DIST.	NAME	PRESENT	ABSENT	NOTIFIED MODERATOR	LATE/ LEFT EARLY
1	Matthew Mandell	X			
	Liz Milwe	X			
	Kristin M. Purcell	X			
	Chris Tait	X			
2	Harris Falk	X			
	Jay Keenan	X			Left 10:00 pm
	Louis M. Mall	X			Left 10:30 pm
	Christine Meiers Schatz		X	X	
3	Ross Burkhardt	X			
	Arline Gertzoff	X			
	Jimmy Izzo	X			
	Don O'Day	X			
4	James Bairaktaris	X			
	Andrew J. Colabella	X			
	Noah Hammond	X			
	Jeff Wieser	X			
5	Peter Gold	X			
	Karen Kramer	X			
	Richard Lowenstein	X			Left 10:40 pm
	Claudia Shaum	X			
6	Candace Banks	X			
	Jessica Bram	X			
	Seth Braunstein		X	X	
	Cathy Talmadge	X			Left 10:00 pm
7	Brandi Briggs	X			
	Lauren Karpf	X			
	Jack Klinge	X			
	Ellen Lautenberg	X			
8	Wendy Batteau	X			
	Rachel Cohn	X			
	Lisa Newman	X			
	Stephen Shackelford		X		
9	Lori Church	X			
	Nancy Kail	X			
	Sal Liccione	X			
	Kristin Schneeman	X			
Total		33	3		

Roll Call Vote #7: To "Opt-Out" of Accessory Dwelling Unit Requirements per Public Act 21-29.

DIST.	NAME	Absent	In Favor	Opposed	Abstain
1	Matthew Mandell		X		
	Liz Milwe		X		
	Kristin M. Purcell		X		
	Chris Tait		X		
2	Harris Falk		X		
	Jay Keenan	X			
	Louis M. Mall		X		
	Christine Meiers Schatz	X			
3	Ross Burkhardt			X	
	Arline Gertzoff		X		
	Jimmy Izzo		X		
	Don O'Day		X		
4	James Bairaktaris		X		
	Andrew J. Colabella		X		
	Noah Hammond		X		
	Jeff Wieser		X		
5	Peter Gold				
	Karen Kramer		X		
	Richard Lowenstein		X		
	Claudia Shaum		X		
6	Candace Banks		X		
	Jessica Bram		X		
	Seth Braunstein	X			
	Cathy Talmadge	X			
7	Brandi Briggs		X		
	Lauren Karpf		X		
	Jack Klinge		X		
	Ellen Lautenberg		X		
8	Wendy Batteau		X		
	Rachel Cohn		X		
	Lisa Newman		X		
	Stephen Shackelford	X			
9	Lori Church		X		
	Nancy Kail		X		
	Sal Liccione		X		
	Kristin Schneeman		X		
Total			29	1	

Roll Call Vote #8: To "Opt-Out" of Multi-family Parking Requirements per Public Act 21-29.

DIST.	NAME	Absent	In Favor	Opposed	Abstain
1	Matthew Mandell		X		
	Liz Milwe		X		
	Kristin M. Purcell		X		
	Chris Tait		X		
2	Harris Falk			X	
	Jay Keenan	X			
	Louis M. Mall		X		
	Christine Meiers Schatz	X			
3	Ross Burkhardt			X	
	Arline Gertzoff		X		
	Jimmy Izzo		X		
	Don O'Day		X		
4	James Bairaktaris		X		
	Andrew J. Colabella		X		
	Noah Hammond		X		
	Jeff Wieser		X		
5	Peter Gold				
	Karen Kramer		X		
	Richard Lowenstein		X		
	Claudia Shaum		X		
6	Candace Banks		X		
	Jessica Bram		X		
	Seth Braunstein	X			
	Cathy Talmadge	X			
7	Brandi Briggs		X		
	Lauren Karpf		X		
	Jack Klinge		X		
	Ellen Lautenberg		X		
8	Wendy Batteau		X		
	Rachel Cohn		X		
	Lisa Newman		X		
	Stephen Shackelford	X			
9	Lori Church		X		
	Nancy Kail		X		
	Sal Liccione		X		
	Kristin Schneeman		X		
Total			28	2	

Roll Call Vote #9 - Sense of the Meeting supporting Roe vs. Wade

DIST.	NAME	Absent	In Favor	Opposed	Abstain
1	Matthew Mandell		X		
	Liz Milwe		X		
	Kristin M. Purcell		X		
	Chris Tait		X		
2	Harris Falk		X		
	Jay Keenan	X			
	Louis M. Mall	X			
	Christine Meiers Schatz	X			
3	Ross Burkhardt		X		
	Arline Gertzoff		X		
	Jimmy Izzo		X		
	Don O'Day		X		
4	James Bairaktaris		X		
	Andrew J. Colabella		X		
	Noah Hammond		X		
	Jeff Wieser		X		
5	Peter Gold				
	Karen Kramer		X		
	Richard Lowenstein	X			
	Claudia Shaum		X		
6	Candace Banks		X		
	Jessica Bram		X		
	Seth Braunstein	X			
	Cathy Talmadge	X			
7	Brandi Briggs		X		
	Lauren Karpf		X		
	Jack Klinge		X		
	Ellen Lautenberg		X		
8	Wendy Batteau		X		
	Rachel Cohn		X		
	Lisa Newman		X		
	Stephen Shackelford	X			
9	Lori Church		X		
	Nancy Kail		X		
	Sal Liccione		X		
	Kristin Schneeman		X		
Total			29	0	