



## Planning & Zoning Commission

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### Minutes

## Planning and Zoning Commission's Zoning Regulation Revision/Sustainability Subcommittee

Wednesday, November 8, 2023, at 12:00 pm

**No physical location. The meeting was held electronically.**

#### **P&Z Commissioners in Attendance:**

Danielle Dobin, P&Z Commission Chair, Zoning Regulation Revision Subcommittee Chair, and Sustainability Subcommittee Member  
Paul Lebowitz, P&Z Commission Vice Chair, Zoning Regulation Revision Subcommittee Member  
Michael Cammeyer, P&Z Commission Member, Zoning Regulation Revision Subcommittee Member, and Sustainability Subcommittee Member  
Jon Olefson, P&Z Commission Member, and Sustainability Subcommittee Member

#### **Planning & Zoning Staff in Attendance:**

Mary Young, Planning and Zoning Director  
Michelle Perillie, Deputy Planning and Zoning Director  
Amanda Trianovich, Planning and Zoning Planner

#### **Members of the Public In Attendance:**

Emma Cusato, Westport Resident  
Kayla Mutchler, Hearst Connecticut Media Group  
Kevin Christie, Westport Resident  
Gately Ross, Sustainable Westport

### **Agenda**

#### **1. Discussion of Affordable Housing Trust Fund**

Danielle Dobin, P&Z Commission Chair, Zoning Regulation Revision Subcommittee Chair, and Sustainability Subcommittee Member started the meeting and read the first agenda item into the record.

Ms. Dobin explained the Affordable Housing Trust fund is an important element of our five-year [Affordable Housing Plan](#). The RTM worked quickly and collaboratively to adopt an Affordable Housing Trust fund and set up the framework. It is up to the Planning and Zoning Commission to create the funding mechanism. The plan to

directly invest in our own affordable housing projects or to invest in other projects by private developers will be left up to those governing the Affordable Housing Trust fund who are appointed by the First Selectwoman. A concept for funding the Affordable Housing Trust fund could be a fee attached to every zoning permit. Therefore, whether it is a new build for a multifamily building or somebody adding an addition to their home there is a percentage that gets contributed to the Affordable Housing Trust fund. A starting point would be ( $\frac{1}{2}$ ) one-half a point and it is incumbent on the Commission to work on moving this forward quickly as we have several exciting projects happening in town and it would be terrific for the Affordable Housing Trust fund to get the benefit of that. I think it's also important to allow private donations to the Affordable Housing Trust fund so that if members of the community or corporations or organizations want to contribute, they have that opportunity to do so.

Michelle Perillie, Deputy Planning and Zoning Director talked about numbers. Viewing construction costs between January 1<sup>st</sup> and October 4<sup>th</sup> of this year were about \$134 million. Applying the ( $\frac{1}{2}$ ) one-half percent would have provided us with \$675,000 in the Affordable Housing Trust fund.

Mary Young, Planning and Zoning Director added on October 3<sup>rd</sup> the RTM adopted an ordinance for the Westport Affordable Housing Trust fund. This ordinance enables the Planning and Zoning Commission to take the next steps in adopting a text amendment followed by fee schedule modification as our fees were last updated in 2015. We are anxious to move this along as there are several significant projects in the pipeline. This is on for further discussion on Monday's Public Meeting of the Planning and Zoning Commission as a Work Session item. We are hopeful of having something in place by January 2024.

Paul Lebowitz, P&Z Commission Vice Chair, Zoning Regulation Revision Subcommittee Member added that maybe the fee should be scaled, higher for large projects and low for individual homeowners. Also, we should make sure that the units that the Affordable Housing Trust fund funds are restricted to the 40-year deed-restricted affordable. Our goals should be clear on how they'll be implemented, utilized, and will be overseen.

Ms. Dobin suggested reviewing the RTM's [Affordable Housing Trust Fund ordinance](#) as they created the framework.

Michael Cammeyer, P&Z Commission Member, Zoning Regulation Revision Subcommittee Member, and Sustainability Subcommittee Member was happy to see this being moved along and would also like to discuss scaling the fee.

## **2. Discussion of draft amendment on Dark Sky compliance for non-residential properties**

Amanda Trianovich, Planning and Zoning Planner explained the revisions to our current lighting standards will apply to commercial developments that submit for a Special Permit/Site Plan application. A copy of the draft text can be viewed [here](#). Since the last subcommittee meeting, P&Z staff sought feedback on the draft text from developers in town. One of the general consensuses is the proposed lighting post height of 16 feet should be adjusted. Their feedback was that the lower the light posts the more they'll need as opposed to allowing a 22-foot light post which could cover more ground therefore fewer light posts would be needed. Currently, the light post height is at the discretion of the Commission on what they felt was appropriate lighting for the conditions of the site. A recommendation was made by P&Z staff to keep the 16 feet in height and add additional language saying, "This height may, at the Commission's discretion, be higher if there are no off-site lighting effects".

Ms. Dobin agreed it would be better to allow for additional height at the discretion of the Commission so long as we are not negating the whole purpose behind the Dark Skies initiative.

Mr. Lebowitz asked what special circumstances we would consider allowing for additional height.

Ms. Trianovich stated it could be the topography, the proximity of surrounding commercial buildings, tree canopies, and the location of residential properties.

Ms. Young added that if we are to add additional language to allow additional height subject to the discretion of the Commission, we include the intent behind it and include a maximum threshold as well.

Mr. Lebowitz asked if P&Z Staff considered time considerations.

Ms. Trianovich stated there are no time considerations in the draft text at this time and it is something we can explore further.

Mr. Lebowitz also asked if P&Z Staff considered time considerations pertaining to lit signs.

Ms. Dobin stated that the Commission will be discussing the sign regulations during this Monday's 11/13/23 meeting.

Mr. Lebowitz stated that the sign lighting may fit together nicely with the Dark Skies initiative, so we do not have an overuse of light and save energy as well.

Mr. Cammeyer asked how this draft regulation affects school athletic field lighting.

Ms. Young stated that schools are a Special Permit Use on residentially zoned properties. Commercially zoned properties are the focus of this amendment.

Mr. Cammeyer expressed concern over limiting the color of the lights to 3,000K as it is a yellowish tone.

Mr. Cammeyer stated there could be very pretty landscape lighting that's not yellowish but could be whiter in tone. Shouldn't our concern be intensity and glare rather than color?

Ms. Dobin stated that we need to start somewhere, and this is the recommendation from the Dark Skies initiative as they have performed the research to understand the impacts of the color of lights.

Ms. Young stated we could discuss adding additional language such as suggested with the height of light posts and provide a minimum and maximum which is at the discretion of the Planning and Zoning Commission.

Gately Ross, Sustainable Westport stated that she reached out to the President of the American Chapter of Dark Skies who may be able to offer guidance/data regarding the height of light posts. The position of Sustainable Westport is that the recommended color has been very clearly established in Dark Skies International. There are research scientists within the Dark Skies movement who have data on why 3,000K in color is the right number.

Four affirmative votes by the Subcommittee members to submit a formal Text Amendment for review by the Planning & Zoning Commission.

### **3. Discussion of school athletic field lighting**

Ms. Dobin described the unintended consequence of the stipulated legal settlement between the town and the neighbors at Staples and Bedford led to a lack of access to lighted fields to be used by our girls' sports teams. The stipulated legal settlement is expiring, and we wanted to explore how to approach this issue with great sensitivity toward the neighbors.

Mr. Cammeyer stated that he created a Google form that will go out to the neighbors to obtain their contact information so we will have a way of contacting them, so they are aware if/when any improvements are proposed.

Mr. Cammeyer stated next is to create a PowerPoint that will be distributed to the neighbors so they may have a sense of possible improvements to the lighting on the fields. The PowerPoint will also contain the goals of the project which is to allow teams to practice on more fields in the shoulder seasons in the winter. A comparison chart will be included detailing the current lighting at other FCX schools. The PowerPoint will also contain any neighbor concerns and how we may address them.

Ms. Dobin asked Mr. Cammeyer if he could work with P&Z Staff to schedule another Subcommittee in November/December so we may start developing the text in January.

Mr. Lebowitz asked if the Subcommittee could review the concept of individual residential sports courts and the lighting of those courts and how they may affect their neighbors as our current regulations do not allow for lighting on tennis courts.

Ms. Dobin recommended that the Subcommittee review individual residential sports court lighting as its own topic at a later date as athletic field lighting is a completely different matter due to a stipulated legal settlement that precludes lighting at Staples and Bedford.

Mr. Cammeyer stated that he is in favor of keeping that in mind as we're going through the lighting of athletic fields.

Emma Cusato, Westport Resident expressed gratitude that the Planning & Zoning Commission is being proactive and including the neighbors in the process as lighting and noise derived from these sports may have a serious effect on the surrounding residential properties.

Kevin Christie, Westport Parent and Board of Education member, stated as a resident he appreciates the collaborative approach and doing it in a thoughtful and inclusive way and looks forward to the process continuing.

Ms. Dobin thanked everyone for attending and adjourned the meeting at 1:18 pm.

A full audio recording of the meeting is archived and available on the Town of Westport's website, [here](#).

**Respectfully Submitted By:**

Amanda Trianovich, Planner

November 9, 2023