



Town of Westport
Planning and Zoning Commission
Town Hall, 110 Myrtle Avenue
Westport, CT 06880
Tel: 203-341-1030 Email: pandz@westportct.gov
www.westportct.gov

March 31, 2026

The following meeting of the Planning & Zoning Commission was held remotely using Zoom Technology

Special Planning & Zoning Commission Meeting

March 30, 2026

Remote Meeting

Meeting Start Time: 6:00 P.M.

P&Z Members in Attendance: Paul Lebowitz, Michael Cammeyer, Bre Injeski, Patrizia Zucaro, John Bolton, Michael Calise, Craig Schiavone, Micheal Valante

Town Staff: Michelle Perillie, Planning and Zoning Director

I. PUBLIC MEETING

1. **Vote to go into Executive Session to discuss pending litigation, 125 RA LLC v. Planning and Zoning Commission of the Town of Westport (FST-CV25-6077406-S)** regarding 125 Riverside Avenue.

Invited to attend Executive Session: Michelle Perillie, Ira Bloom, Eric Berheim, Lucien Vita

Motion to go into Executive Session: P. Lebowitz (2nd B. Injeski)

Vote (7-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, P. Zucaro, J. Bolton, M. Calise, C. Schiavone

Executive Session Started: 6:06 pm

Executive Session Ended/Into Public Session: 6:51 pm

II. PUBLIC HEARING

2. **Text Amendment #865:** Application #PZ-26-00106 submitted by the Westport Planning and Zoning Commission, to modify §11-2.4.8A, Accessory Dwelling Unit (ADU), to remove the 350 SF coverage exemption for lots up to 1 ½ acres. A copy of the text amendment is available on-line at www.westportct.gov on the Planning & Zoning Office web page under "P&Z Pending Applications & Recent Approvals." A copy may also be viewed at Town Hall, 110 Myrtle Ave., in the Town Clerk's Office and Planning & Zoning Office.

Testimony was received from staff and Commission members. No public testimony received.

Motion to Close: B. Injeski (2nd P. Lebowtiz)

Vote (7-0-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION: -

Motion to Approve: M. Cammeyer (2nd P. Lebowitz)

Vote (6-1-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone

NAY: P. Zucaro

ABSTENTION: -

See Resolution attached.

3. **Text Amendment #863:** Application #PZ-26-00012 submitted by Richard Redniss, to modify §39A, Inclusionary Housing Overlay District (IHZ), to provide standards for developments with at least 70% residential use in the non-residential district provided at least one underground parking space per unit is proposed and total coverage is reduced to 65%; and §32-8, Excavation and Filling of Land, to provide design flexibility, clarifies exemption activities, modifies septic-related fill regulation and approval of minor grading by administrative zoning permit instead of Planning and Zoning Commission approval. A copy of the text amendment is available on-line at www.westportct.gov on the Planning & Zoning Office web page under "P&Z Pending Applications & Recent Approvals." A copy may also be viewed at Town Hall, 110 Myrtle Ave., in the Town Clerk's Office and Planning & Zoning Office.

Agenda items #3-#5 were opened together. Testimony was received from the applicant, Commission members and the public.

Motion to Continue: P. Lebowitz (2nd M. Cammeyer)

Vote (7-0-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION:

4. **455 Post Road East:** Special Permit/Site Plan Appl. #PZ-26-00007 submitted by Richard Redniss, for property owned by 455 Post Road Holdings LLC, for construction of a 30-unit residential development with parking, patios, and associated landscaping, located in the Residence A/General Business District, PID #D09160000/#D09161000.

Agenda items #3-#5 were opened together. Testimony was received from the applicant, Commission members and the public.

Motion to Continue: P. Lebowitz (2nd M. Cammeyer)

Vote (7-0-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION:

5. **455 Post Road East:** Map Amendment Appl. #PZ-26-00008 submitted by Richard Redniss, for property owned by 455 Post Road Holdings LLC, for a proposed Zone Map change from Residence A /General Business District to Residence A /General Business District - Inclusionary Housing Overlay District (Res. A/GBD-IHZ), PID #D09160000/#D09161000.

Agenda items #3-#5 were opened together. Testimony was received from the applicant, Commission members and the public.

Motion to Continue: P. Lebowitz (2nd M. Cammeyer)

Vote (7-0-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION:

6. **28 Owenoke Park:** Coastal Site Plan Appl. #PZ-26-00141 submitted by Moon Gardens LLC, for property owned by Elizabeth Robins, for reconstruction of a timber bulkhead, located in the Residence A District, PID #C03021000.

Testimony was received from staff and Commission members. No public testimony received.

Motion to Close: M. Cammeyer (2nd P. Lebowitz)

Vote (7-0-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION: -

Motion to Approve: M. Cammeyer (2nd J. Bolton)

Vote (7-0-0) AYE: P. Lebowitz, M. Cammeyer, B. Injeski, P. Zucaro, J. Bolton, M. Calise, C. Schiavone

NAY: -

ABSTENTION: -

See Resolution attached.

7. **6 Newtown Turnpike:** Resubdivision Appl. #PZ-26-00134 submitted by LANDTECH, for property owned by Ken and Adrienne Winemaster, for modification of two existing conservation easements to allow the relocation of the driveway so that it no longer encroaches within the conservation easements as well as visibility improvement, located in the Residence AAA District, PID #A12017000.

Commission voted unanimously to take item #7 before item #6. The application was opened and discussed by the applicant and Commissioners with comments from the public.

Motion to Close: M Cammeyer (2nd B. Injeski)

Vote (7-0-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: -

ABSTENTION: -

Motion to Approve: M. Cammeyer (2nd B. Injeski)

Vote (6-1-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: P. Lebowitz

ABSTENTION: -

8. **Text Amendment #864:** PZ-26-00024 submitted by Richard Redniss, to modify §5, Definition of Special Needs Individuals, to reference U.S. Code 42 U.S.C. §15002 in order to serve a wider range of individuals, and to modify §39A, Inclusionary Housing Overlay District, to permit offsite affordable housing at the discretion of the Planning and Zoning Commission. A copy of the text amendment is available on-line at www.westportct.gov on the Planning & Zoning Office web page under "P&Z Pending Applications & Recent Approvals." A copy may also be viewed at Town Hall, 110 Myrtle Ave., in the Town Clerk's Office and Planning & Zoning Office. The application was closed on 2/9/26. Must decide by 4/17/26.

The Commission discussed the application.

Motion to Continue: B. Injeski (2nd M. Cammeyer)

Vote: (7-0-0) AYE: P. Lebowitz, J. Bolton, M. Calise, M. Cammeyer, B. Injeski, C. Schiavone, P. Zucaro

NAY: J. Bolton

ABSTENTION: -

9. **785 Post Road East:** Special Permit/Site Plan Appl. #PZ-26-00023 submitted by the Richard W. Redniss, FAICP, on behalf of 785 Post Rd E LLC, property owner, for modification of Special Permit/Site Plan #16-036 to allow the conversion of the second and third floor of the approved commercial building to house two (2) residential units, minor vertical expansion of the third floor and potential on/off site affordable housing solution, for property located in the General Business District/Residence A-Inclusionary Housing Overlay District, PID #E09191000. The application was closed on 2/9/26. Must decide by 4/17/26.

No action.

The meeting concluded at 12:56am.



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Meeting: March 30, 2026
Decision: March 30, 2026

March 31, 2026

Cindy Tyminski
Moon Gardens LLC
PO Box 2
Westport, CT 06881

RE: 28 Owenoke Park, Coastal Site Plan #PZ-26-00141

Dear Ms. Tyminski:

This is to certify that at a meeting of the Westport Planning and Zoning Commission held on March 30, 2026, it was moved by Mr. Cammeyer and seconded by Mr. Bolton to adopt the following resolution:

RESOLUTION #PZ-26-00141

WHEREAS, THE PLANNING AND ZONING COMMISSION met on March 30, 2026, and made the following findings:

FINDINGS

Property Description/Background

1. 28 Owenoke Park is a nonconforming 0.42 acre lot in the Res. A zoning district, requiring a 1/2 acre. The net lot area is 18,359 SF due to the deduction of the 190 SF of tidal wetlands. The property lies within the WPLO boundary (elevation 9') of the Saugatuck River.
2. The property abuts intertidal zone of Grays Creek, a tidal embayment of the Saugatuck River. The site survey depicts the tidal wetland line along the northern portion of the property. The intertidal zone is within the property boundary. The mean high water line is established at elevation 3.3' (NAVD88), and the coastal jurisdiction line (el. 5.3') is located on the property. The property is situated within the flood zone AE (el. 13').
3. The property is accessed by a private drive known as Stuart Lane that runs perpendicular to Owenoke Park. The lot is improved with a residence, driveway, patio, float and seawall. The property is located within the Coastal Area Management boundary and is entirely within the AE 13 flood zone per FIRM Panel 09001C0511G.

4. Zoning Permit (#ZN-25-00494) was issued in September 2025 for a new pool, reconfigured patio and driveway, fire pit and drainage system. The property is still under construction. A 10 foot planting buffer is shown on the Site Plan from the seawall landward as required by the Conservation Department approval.

Proposal

5. The application requests Coastal Site Plan approval replace an existing 181 foot timber bulkhead in-in and in place to an elevation of 7.4' NAVD 88. The work also proposes:

- A. Installation of 20 timber soldier piles (a type of deep foundation/retaining system used to hold back soil during excavation or to support a permanent wall)
- B. A tieback system (used to anchor and stabilize a wall or structure, preventing it from shifting) extending to each steel road to a concrete deadman (a reinforced concrete block embedded in the ground). The tie-back rod connecting to the deadman provides resistance.

6. This property lies within the Coastal Area Management Boundary, as defined by C.G.S. §22a-94 and therefore, a CAM review is required in accordance with C.G.S. §22a-109 and the Town of Westport Zoning Regulations §31-10.2 (Location) and §31-10.5 (Coastal Site Plan Requirements). As the proposed bulkhead, is not exempt a Coastal Site Plan review is required.

7. According to the Cahn, Inc. Map, the following coastal resources have been identified as either on and/or adjacent to the site: General Resources, Coastal Hazard Areas and Todal Wetlands. The coastal resources are defined in the Connecticut Coastal Management Manual.

8. CGS 22a-109(d) requires an application for a Shoreline Flood and Erosion Control Structure be referred to the Commissioner of the Department of Energy and Environmental Protection so they can provide comments.

9. Comments from CT DEEP Environmental Analyst Jason Hale, dated 3/24/26 were received indicating the submitted plans and the conditions of the COP, we find the project to be consistent with the CCMA.

10. The Coastal Area Management (CAM) Act discourages shoreline flood and erosion control structures. Although the intent behind shoreline structures is to alleviate flood and erosion problems, in fact they can exacerbate erosion problems. The CAM policy is to promote non-structural solutions to flood and erosion problems. However repairs and maintenance of existing shoreline flood and erosion control structures are not considered inconsistent with CAM policies.

11. Connecticut Department of Energy and Environmental Protection (CT DEEP) was satisfied with the replacement as such the department issued Certificate of Permission #202506968-COP on 12/17/25 for replace an existing 181 foot timber bulkhead in-in and in place to an elevation of 7.4' NAVD 88. The work also proposes installation of 20 timber soldier piles and a tieback system extending to each steel road to a concrete deadman.

12. Seawall replacement shall be limited to 25 foot sections. At no time shall work begin on a second section without the prior section being stabilized to prevent erosion of exposed sediments into Greys Creek. The project with these conditions imposed are consistent with CAM policies.

13. The Office of Long Island Sound Program Fact Sheet for Vegetated Buffers, by the Connecticut Department of Environmental Protection states the following,

"Buffers protect resources from adjacent development by reducing the adverse effects of human activities on natural resources including wetlands and surface waters. They protect water quality and temperature, control erosion and trap sediment, protect and provide wildlife habitat, reduce the effects of flooding, reduce the potential for direct human disturbance of sensitive resources, and maintain aesthetic diversity and recreational value. A buffer provides a mosaic of interdependent functions. Installation of a buffer area can also lessen lawn maintenance requirements by reducing the area of manicured landscape."

14. The Department of Energy and Environmental Protection (CT DEEP) Office of Long Island Sound Fact Sheet on Vegetated Buffers suggests that "large buffers (e.g. 100 feet or greater in width) provide the best protection for water quality by buffering temperature changes and improving control of erosion, sedimentation and pollution. However, even a narrow buffer (15 to 30 feet in width) can be effective under certain conditions."

15. The buffer must consist of native salt tolerant plantings and will be required to remain in perpetuity in order to:

- Reduce the adverse effects of human activities on natural resources including wetlands and surface waters by acting as filters to intercept and absorb nutrients, sediment and other pollutants carried in storm water runoff from fertilized lawns and landscaping where pesticides are applied.
- Slow down runoff, which both reduces erosion and allows silt and other suspended solids to settle out before they reach a receiving water body or wetlands; and
- Trap bacteria and pathogens from pet wastes and thereby preserving water quality.

16. A 10 -foot wide vegetative buffer of native salt tolerant plantings will be planted from the revetment landward in order to stabilize the disturbed area, to provide habitat for wildlife and to intercept and absorb nutrients and prevent contaminants from reaching the adjacent coastal resources.

Department Comments

17. The Engineering Department comments dated 3/23/26 conclude, "The activity has no adverse engineering impacts with respect to drainage, grading or other public safety considerations".

18. The Conservation Department comments dated 3/23/26 provide the following Special Conditions of Approval issued by the Commission before the issuance of the Zoning Permit:

- The applicant shall submit a S&E control plan subject to Staff approval prior to the issuance of a Zoning permit.

19. The permittee shall install S&E controls immediately north of the area of disturbance. Utilize type 1 floating turbidity curtain in Gray's Creek along each section of work. (Suppl comments indicate concurrence with the directive from Mr. Gaucher and will utilize his requirements in the place of those for the turbidity curtain under Condition #19.)

20. Contact the Conservation Department 48 hours prior to construction to schedule a site meeting with Conservation Staff.

21. The permittee shall submit a construction sequence subject to Staff approval prior to the issuance of a Zoning permit.

22. The permittee shall retain a site monitor to provide periodic reports during the construction of the wall.

23. The permittee shall conform with DEEP COP license.

24. There is potential the replacement of the seawall will necessitate the removal of a large tree. The Conservation Department shall be notified for a site inspection prior to a potential removal of the large tree along the seawall.

19. The Conservation Commission made a finding, "With the mitigating controls and designs, the potential for short term and long-term adverse impacts from the proposed development to the natural habitat should be minimal."

Public Hearing

20. A public hearing was held, as required by Section 43-5.2 of the Westport Zoning Regulations, for a Shoreline Flood and Erosion Control Structure as defined in CGS §22a-109 located within the Coastal Boundary as described in CGS §22a-94.

21. The public hearing and work session was held remotely using electronic means due to COVID-19. The public hearing and work session was broadcasted live on public access television and live on-line on the Town's website. Interested parties were provided the opportunity to join the meeting and offer "live" testimony, consistent with executive orders issued by the Governor.

22. Neighboring property owners within a 250' radius of 76 and 82 Beachside Avenue received a notice letter marked "**Urgent Town Notice Letter**" in red. No comments were received from the public prior to the February 6, 2023 meeting.

Conclusions

23. The Westport Planning and Zoning Commission finds this project is consistent with the policies identified in Section(s) 22a-92(b) (1) and 22-a-92 (b) (2) of the Coastal Area Management Act; that it will not adversely affect adjacent Coastal Resources (General Resources, Coastal Hazard Areas and Tidal Wetlands) identified in Sections 22-93 (a) (7) of said Act.

24. The Westport Planning and Zoning Commission finds this project is consistent with §11, Residential AAA standards, Site Plan Standards and Objectives listed in §44-5, and the Special Permit standards listed in §44-6, Coastal Area Management standards listed in §31-10, and whether it is in accordance with the 2017 Town Plan of Conservation and Development.

NOW THEREFORE, BE IT RESOLVED that 28 Owenoke Park: Coastal Site Plan Appl. #PZ-26-00141 submitted by Moon Gardens LLC, for property owned by Elizabeth Robins, for reconstruction of a timber bulkhead, located in the Residence A District, PID #C03021000 is **APPROVED** subject to the following modifications:

MODIFICATIONS

1. Conformance to Engineering Department Comments, dated 3/23/26.
2. Conformance to Conservation Commission approval, dated 3/23/26.
3. Conformance to the Certificate of Permission (COP) 202506968-COP, dated 12/17/25.
4. Conformance to CT DEEP Comments, dated 3/24/26.
5. Conformance to Applicant's Narrative, received 3/6/26.
6. Conformance to Site Plan, prepared by Coastline Consulting & Development, dated 11/4/25 (Sheet 5 of 7).
7. Conformance to Site Plan, prepared by Chappa Site Consulting, dated 5/9/25.
8. Conformance to Existing Conditions Survey, prepared by Charles Leonard, dated 7/20/18, revised 4/21/25
9. Trees and shrubs on Town property or in the Town right of way shall not be removed, pruned, injured, or defaced.
10. Prior to the commencement of any construction, site work, tree removal or demolition, the soil and erosion controls shall be installed and inspected by Staff.
11. Prior to the issuance of a Zoning Permit for this work, the applicant shall submit and obtain the following:
 - A. Obtain final sign-off from Engineering Department.
12. Prior to the issuance of the Zoning Certificate of Compliance, the applicant shall submit:
 - A. A Certified "As-Built" survey stamped by a registered Engineer or Surveyor.

13. This application is granted upon the condition that all construction and site improvements shall be in strict accordance with the plans and other documents submitted and any statements or representations made by the applicant or agent on the record. Any deviation from such documents or representations shall require further review and approval from the Commission.
14. All work approved pursuant to this Site Plan shall be completed within 5 years of date of approval, by March 30, 2031.
15. This is a conditional approval. Each and every condition is an integral part of the Commission decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect, then this conditional approval is likewise void. The applicant may refile another application for review.

ENFORCEMENT Failure to comply with any standard or condition contained in this Resolution, shall be considered a zoning violation pursuant to §45-2 of the Westport Zoning Regulations. The failure to undertake corrective action within 10 days of being notified of such violation may result in the following remedies: 1) issuance of a notice of violation; 2) issuance of a cease and desist order; 3) issuance of a municipal citation with daily fines of up to the maximum allowed by statute; and/or 4) enforcement action through a judicial proceeding.

Reasons:

The application as modified is found to be in conformance with all applicable zoning regulations, and no adverse impacts to coastal resources should result with the mitigation implemented as required.

VOTE:

AYES	-7-	[Lebowitz, Cammeyer, Injeski, Zucaro, Calise, Bolton, Schiavone]
NAYS	-0-	
ABSTENTIONS	-0-	

Very truly yours,

Paul Lebowitz
Chairman, Planning & Zoning Commission

cc: E. Gill, PE, Engineer I
C. Kelly, Conservation Director



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Public Hearing: March 30, 2026
Decision: March 30, 2026

March 31, 2026

RE: Text Amendment #865/#PZ-26-00106, modify §5, Definitions, to remove the Coverage Exemption for Accessory Dwelling Unit (ADU)

To whom it may concern:

This is to certify that at a meeting of the Westport Planning and Zoning Commission held on March 30, 2026, it was moved by Mr. Cammeyer and seconded by Mr. Lebowitz to adopt the following resolution:

RESOLUTION #PZ-26-00106

WHEREAS THE PLANNING AND ZONING COMMISSION met on March 30, 2026, and made the following findings:

Proposal

1. Text Amendment #865 seeks to modify §11-2.4.8A, Accessory Dwelling Unit (ADU) regulations, to remove the coverage exemption for lots up to 1 ½ acres. The change also adds language clarifying that for an ADU constructed above a detached garage, the Building Area of the detached garage may exceed the Maximum Building Area set forth above, so long as the ADU does not exceed the Maximum Building Area.
2. Staff has recently encountered proposals to construct new ADUs on very small lots which does not preserve the neighborhood scale.
3. The Zoning Regulation Revision subcommittee met on March 24, 2026 and a majority of the Commission members voted to submit the proposal as a formal text amendment application.

Background

4. From 2021 to 2025, the Planning and Zoning Commission adopted a series of text amendments to expand and clarify regulations for Accessory Dwelling Units (ADUs).
 - Text Amendment #791 (2021) allowed ADUs in detached structures with fewer restrictions, increased allowable size for internal accessory apartments, and removed the annual certification requirement.

- Text Amendment #798 (2021) clarified definitions and reinstated size and height limits for accessory structures that are not ADUs, while creating a separate section specifically for ADU standards.
- In 2022, the Commission reviewed a request for interpretation related to ADU height and dormer design, highlighting the need for clearer standards.
- Text Amendment #825 (2023) further refined ADU regulations by increasing allowable building area for smaller lots, clarifying roof height requirements, and specifying when a Special Permit is required.
- Text Amendment #853 (2025) added a minimum separation between principal dwellings and an ADU. This amendment is intended to reinforce the original intent of the regulation, which specifies that ADUs must be **detached** structures.

Overall, these changes aimed to encourage ADU development while refining and clarifying applicable zoning standards.

Department/Regional Agency Comments

5. No objections were received in response to referrals sent to Town Departments and others.
6. Comments from MetroCOG dated January 26, 2026 indicate there is no regional significance from the amendment.

Public Hearing

7. A public hearing was held on March 30, 2026 to receive testimony from members of the public as required by State Statutes.
8. The public hearing was held remotely in accordance with State Statutes. The hearing was broadcast "live" on public access television, "Live" on-line on the Town's website, and anyone could join the meeting and offer "Live" testimony.
9. All application materials, and public comments received in writing prior to the meeting were posted on the Town's website to maintain transparency while conducting remote meetings.
10. A press release was issued on March 20, 2026 to inform the public of the hearing on this text amendment.

NOW THEREFORE, BE IT RESOLVED that Text Amendment #865: Application #PZ-26-00106 submitted by the Westport Planning and Zoning Commission, is **ADOPTED**, to modify §11-2.4.8A, Accessory Dwelling Unit (ADU), to remove the 350 SF coverage exemption for lots up to 1 ½ acres.

REASONS

1. Adopting Text Amendment #863 will provide opportunities to increase the diversity in housing types in Westport.

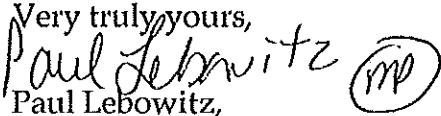
2. Removing the coverage exemption on smaller lots helps ensure that ADUs remain subordinate to the principal dwelling and do not visually or functionally dominate the site. This is particularly important in established neighborhoods with smaller lot sizes, where excessive building coverage can alter neighborhood character.
3. Eliminating the exemption creates clearer, more uniform standards across lot sizes, improving predictability for applicants and staff and reducing the need for interpretations or case-by-case determinations.
4. Very small lots often have limited buildable area due to setbacks, existing structures, wetlands, or other constraints. Applying building coverage limits to ADUs on these lots helps prevent overdevelopment and ensures adequate open space, light, and air.
5. Increased building coverage on small lots may intensify demand on parking, drainage, and other site infrastructure. Applying coverage limits helps ensure that ADU development remains proportional to site capacity.
6. When combined with prior amendments addressing height, separation, and roof form, the proposed change further mitigates cumulative massing impacts that can result from detached ADUs, especially on undersized parcels.
7. Explicitly allowing a detached garage to exceed the maximum building area when an ADU is located above it—while maintaining the maximum building area for the ADU itself—provides flexibility for functional garage design without increasing residential density or intensity beyond what is intended.
8. The amendment addresses regulatory gaps that have allowed proposals to technically comply with dimensional standards while producing outcomes inconsistent with the overall intent of the ADU regulations.
9. The 2017 Plan of Conservation and Development promotes housing diversity in Chapter 4, “Maintain and Enhance Community Character” which states:

“Maintain the preponderance of single-family home, increase housing diversity as to size of units and promote housing affordability.” Pg. 85

The effective date of the amendment is: April 3, 2026.

VOTE:

AYES	-7-	[Lebowitz, Cammeyer, Injeski, Bolton, Calise, Schiavone]
NAYS	-1-	[P. Zucaro]
ABSTENTIONS	-0-	

Very truly yours,

 Paul Lebowitz,
 Chairman
 Planning & Zoning Commission

Attachment

cc: Ira Bloom, Town Attorney
Nick Bamonte, Town Attorney's Office
Lucienne Bango, Aspetuck Health District Director
Alan D'Amura, Staff Corporal, WPD
Terry Dunn, Fire Marshal
Rick Giunta, Deputy Parks and Recreation Director
Foti Koskinas, Westport Police Chief
Mark Cooper, Aspetuck Health District Director
Matt Mandell, Chairman, RTM P&Z Committee
Jeff Wieser, RTM Moderator

Changes to ADU Regulations: Text Amendment #865

Submitted: 2/24/26

Received: 3/2/26

Public Hearing: 3/30/26

Adopted: 3/30/26

Effective date: 4/3/26

Note: Proposed new language is shown in **red, highlighted, and underlined.**
Proposed deletions are shown in **[bracketed, struck through and highlighted]**

FROM CHAPTER 11, RESIDENCE AAA DISTRICT

11-2.4.8A, Accessory Dwelling Unit (ADU), See also §5-2, Definitions

An Accessory Dwelling Unit is permitted subject to issuance of a Zoning Permit, and compliance with the following standards:

a. The Building Area of an Accessory Dwelling Unit shall not exceed the following:

Lot Size	Maximum Building Area of an Accessory Dwelling Unit
Lots up to and including 1½ acres (0-65,340 sq. ft.)	850 sq. ft. [, provided, however, that for the purposes of calculating Building and Total Coverage: the first 350 sq. ft. of any such accessory building or structure shall not be counted. The maximum footprint inclusive of 350 sq. ft. bonus is 850 sq. ft.]
Lots over 1½ acres (65,341 sq. ft. or greater)	1,000 sq. ft.

*** If an ADU is constructed above a detached garage, the Building Area of the detached garage may exceed the Maximum Building Area set forth above, so long as the ADU does not exceed the Maximum Building Area and complies with the Height set forth in §11-2.4.8A(c).**

b. The Accessory Dwelling Unit may only have a single interior kitchen.

c. The maximum height for an Accessory Dwelling Unit shall be measured to the highest point of the roof, excluding dormers as permitted in §11-2.4.8A (i) and a cupola as permitted in §11-2.4.8A (h). The Accessory Dwelling Unit may not exceed the following height limitations:

Roof Type	Maximum Roof Height for an Accessory Dwelling Unit
Main Roof with a slope of 6:12 or greater	Twenty-six (26) feet
Main Roof with a slope of less than 6:12	Sixteen (16) feet

*For the purposes of this section only, the definition of Dormer is a roofed structure, often containing a window that projects vertically beyond the plane of a pitched roof. Dormers are commonly used to increase the usable space and to create window openings in a roof plane.

Existing accessory buildings and structures, inclusive of barns, exceeding the standards listed in the tables above may be converted into an Accessory Dwelling Unit subject to Special Permit approval from the Planning and Zoning Commission.

d. Subject to Section 11-2.4.8A.(a) and (b) above, the accessory building or structure shall meet all setback, coverage, grading, drainage, and other requirements applicable to the property.

e. If the property is not on Town sewers, the property owner or their designee must obtain the Westport-Weston Health District approval for the septic system. State approval of the proposed septic systems may also be required pursuant to state statute.

f. If the property is on Town sewers, proof of the sewer hookup must be submitted to the P&Z Office by the property owner or their designee.

g. There are at least three (3) off-street parking spaces on the lot and proof of adequate parking must be submitted to the Planning and Zoning Office by the property owner or his designee.

h. Cupolas shall be permitted on accessory buildings provided that: (i) the cupola shall not be higher than 5 feet above the ridge line or highest point of the roof; and (ii) the cupola shall not exceed 5% of the footprint of the roof area of the building on which it is located, or 25 square feet, whichever is less. The cupola cannot be used for human habitation.

i. Dormers shall be exempt from maximum height on ADU's provided they are setback from the face of the building at least 1 foot and from the side of the building at least 2 feet. The dormer shall not exceed 60% of the footprint of the floor below and shall have a roof pitch of at least 3:12. The dormer is not permitted to exceed the height of the existing building ridge line and must not be technically or visually coplanar.

j. The provisions listed above may be modified for applications approved pursuant to §32-18. (Historic Residential Structures).

k. Only one accessory dwelling unit shall be permitted per lot.

l. Any accessory dwelling unit located in the Special Flood Hazard Area must be compliant with the floodplain regulations in §31-11. No additional building height is permitted for an existing or new structure located within the Special Flood Hazard Area when proposed to be floodplain compliant.