

**MINUTES
WESTPORT CONSERVATION COMMISSION
JULY 20, 2016**

The July 20, 2016 Public Hearing of the Westport Conservation Commission was called to order at 7:00 p.m. in Room 201/201A of the Westport Town Hall.

ATTENDANCE

Commission Members:

Pat Shea, Esq., Chair
Anna Rycenga, Vice-Chair
Paul Davis, Secretary
Donald Bancroft
Robert Corroon
Ralph Field, Alternate

Staff Members:

Alicia Mozian, Conservation Department Director
Lynne Krynicky, Conservation Analyst

This is to certify that these minutes and resolutions were filed with the Westport Town Clerk within 7 days of the July 20, 2016 Public Hearing of the Westport Conservation Commission pursuant to Section 1-225 of the Freedom of Information Act.

Alicia Mozian
Conservation Department Director

Changes or Additions to the Agenda.

Ms. Mozian stated there were three additions to the agenda including:

- 1. 333 Post Road West:** Request for bond release as required for plantings under Permit #IWW,WPL-9763-14.
- 2.** Request to issue a staff level permit for a new sidewalk on Imperial Avenue between the Women's Club and Gault Avenue.
- 3. 119 Riverside Avenue:** Request to issue a staff level permit for patios, staircase, fence, swale, and arbor.

Motion to amend the agenda to include the above items.

Motion:	Shea	Second:	Rycenga
Ayes:	Shea, Rycenga, Bancroft, Corroon, Davis, Field		
Nays:	None	Abstentions:	None
		Vote:	6:0:0

Ms. Mozian noted that **27 Darbrook Road** had withdrawn and will resubmit for the September 21, 2016 Public Hearing. Also, **115 Harbor Road** has postponed until September 21, 2016.

Work Session I: 7:00 p.m., Room 201/201A

1. Receipt of Applications

Ms. Mozian noted there were no applications to receive.

2. Report by Colin Kelly, Conservation Compliance Officer on the status of existing enforcement activity.

Ms. Mozian reported there was no enforcement activity to report on.

3. 23 Oak Ridge Park: Request by owner for legalization of landscaping activity within WPLO area without authorization.

Ms. Krynicki reviewed the request for legalization of landscaping activity within the WPLO area. The work consists of permeable walkways, a gabion sitting wall and planting beds. All are flush with grade except for the wall, which is about 2 feet tall x 3 feet long and 18 inches wide. The wall is vertical to the water so it does not impede the water flow. Staff supports the legalization.

Motion to approve the legalization of the landscape activity by amending the existing permit to include the work.

Motion:	Shea	Second:	Bancroft
Ayes:	Shea, Bancroft, Corroon, Davis, Field, Rycenga		
Nays:	None	Abstentions:	None
		Vote:	6:0:0

4. Approval of June 15, 2016 meeting minutes.

The June 15, 2016 meeting minutes were approved with corrections.

Motion: Shea Second: Davis
Ayes: Shea, Davis, Bancroft, Corroon, Field, Rycenga
Nayes: None Abstentions: None Vote: 6:0:0

5. Review of material from CT DEEP legal workshop

Ms. Mozian reviewed materials received at the CT DEEP legal workshop including information on expert testimony and the latest version of the IWW regulations.

6. Other Business

- a. 333 Post Road West:** Request for bond release as required for plantings under Permit #IWW,WPL-9763-14.

Ms. Krynicky reviewed a request for bond release. She stated the plantings have been in for a full year and are thriving. She recommended the release of the planting bond.

Motion:	Shea	Second:	Rycenga
Ayes:	Shea, Rycenga, Bancroft, Corroon, Davis, Field		
Nays:	None	Abstentions:	None
		Vote:	6:0:0

- b.** Request to issue a staff level permit for a new sidewalk on Imperial Avenue between the Women's Club and Gault Avenue.

Ms. Mozian reviewed a request by the Town to install a new sidewalk on Imperial Avenue between the Women's Club and Gault Avenue. She reviewed a plan with the Commission and asked for permission to issue a staff level permit for the project.

Motion to allow the staff to issue a staff level permit for a sidewalk on Imperial Avenue between the Women's Club and Gault Avenue.

Motion:	Shea	Second:	Rycenga
Ayes:	Shea, Rycenga, Bancroft, Corroon, Davis, Field		
Nays:	None	Abstentions:	None
		Vote:	6:0:0

- c. 119 Riverside Avenue:** Request to issue a staff level permit for patios, staircase, fence, swale, and arbor.

Ms. Krynicki reviewed a request to issue a staff level permit for patios, a staircase, a fence, a swale and an arbor. She presented a plan of the proposal and indicated that staff supported the project.

Motion to allow staff to issue a staff level permit for project.

Motion:	Shea	Second:	Bancroft
Ayes:	Shea, Bancroft, Corroon, Davis, Field, Rycenga		
Nays:	None	Abstentions:	None
		Vote:	6:0:0

Public Hearing: 7:30 p.m., Room 201/201A.

- 1. 27 Darbrook Road:** Application #IWW,WPL-10240-16 by Land-Tech Consultants on behalf of Robert & Jennifer Bowman to construct a 43' X 61' sports court with associated stormwater drainage system. Portions of the work are in the upland review area and the WPLO area of a tributary of Deadman's Brook.

This application was withdrawn.

- 2. 23 Edgewater Hillside:** Application #WPL-10245-16 by McChord Engineering on behalf of Robert & Jody Gelfand to demolish the existing house and construct a new single family residence, driveway and pool. Work is within the WPLO area of the Sherwood Mill Pond.

Steve McAllister, PE, presented the application. The house was built in 1927 and is located on .88 acres. The lowest floor is now at 8.7 feet. The property is mostly located in the A6 FEMA flood zone. The new house elevation will be 14.2 msl. The base flood elevation is 13 msl. Mr. McAllister noted he met on-site with staff and a representative of the DEEP about the idea of a proposed retaining wall to accommodate the fill and house raising. Based on this meeting, the design was altered to what is now before the Commission. The walls will be built to VE Flood zone standards to withstand wind and wave action. The driveway will be built with permeable asphalt. Drainage will be added. Groundwater is 40 inches below grade.

Sean Jancski, L.A., reviewed the landscape plan. The phragmites will be removed. Raingarden plantings and a vegetative buffer will be introduced. Native plantings will be added where the phragmites is.

Ms. Mozian noted the phragmites removal is a three-year process.

Ms. Krynicky noted the sub-soil is a filled tidal wetland soil.

Nick Sajda, Bartels Architects, stated a structural engineer has determined the foundation must be a pile foundation. The existing elevation at grade ranges between 5 and 8 feet msl. The walls will be installed first and then the fill brought in. The top of the wall will be at 11 feet msl. There will be 6 feet of fill.

Ms. Krynicky asked how realistic the sediment and erosion control plan is with regard to the location of the silt fence as it does not appear to provide enough room for construction activity.

Mr. Sajda said 2 – 3 inch in diameter helical piles will be used, which do not take up a lot of room.

Ms. Rycenga asked if a Construction Sequencing Plan had been submitted.

The applicant said no.

Mr. Field asked if the DEEP had a problem with the walls.

Ms. Krynicky indicated they did not. She explained how the walls came to be. The first alternative plan had one very high wall. CT DEEP had concern with this being an erosion control structure so the applicant modified the plan to construct two, shorter walls. She noted the house is 60 feet closer to the pond and 45 feet closer to the tidal wetland than the existing house. The coverage is increasing by 1,000 s.f. for the driveway but the applicant said it was because of the fill, the FEMA regulations and the Town's driveway standards. The house will be tested for asbestos and lead paint before demolition.

Ms. Rycenga noted the dumpster should be covered.

Catherine Calise, 1B Sylvan Lane, stated she is a realtor and spoke on behalf of Christy Congdon of 32 Edgewater Hillside. She noted the proposed building is over 15% building coverage and will need a variance. She believes the house and wall construction will impact the pond because there is not enough undeveloped area for absorption and due to wave refraction. She is concerned that designing for the first flush is not adequate to safeguard against contamination. She is concerned with contamination during flood conditions. Also, she is concerned with height and how it impacts sight lines. She questioned whether there were any alternatives to reduce the height.

Mr. McAllister noted the benefits to the stormwater treatment with the collection and treatment. They are adding native plantings.

Ms. Calise added her concern with the walls' impact on the shoreline because of refraction and its impact on the property at 32 Edgewater Hillside.

Ms. Krynicki explained that the V zone is at the existing wall, which is where the refraction would occur.

Ms. Mozian read the Flood & Erosion Control Board minutes into the record.

With no additional comments from the public, the hearing was closed.

Motion:	Shea	Second:	Rycenga
Ayes:	Shea, Rycenga, Bancroft, Corroon, Davis, Field		
Nayes:	None	Abstentions:	None
		Vote:	6:0:0

Mr. Corroon expressed concern with the use of Glyphosate on the phragmites and lead dust from demolition activity.

Ms. Mozian concurred with the concern but noted there are pros and cons on its use but noted DEEP continues to use it throughout the State in its phragmites removal programs.

Ms. Rycenga stated she wanted a silt fence around the perimeter of the stockpile. Also the dumpsters should be covered at the end of the day.

Mr. Bancroft reiterated his concern about lead paint during demolition.

Mr. Davis concurred with Ms. Rycenga's recommendations. He, also, had concerns about demolition.

Findings
Application # WPL 10245-16
23 Edgewater Hillside

1. **Application Request:** Applicant is requesting to demolish the existing single family residence and to construct a new six-bedroom single family dwelling, pool and driveway on this property. The house reconstruction will raise the finished floor elevation to 14.2' more than one foot above the base flood elevation (AE) at 13' NGVD. Tidal wetlands occur on the site. There are two tier retaining walls proposed at the front of the dwelling for architectural aesthetics and containment of the proposed grading for the proposed FEMA compliant residence. Total proposed lot coverage of the site is 24.98% or 9,612 sq. ft.
2. **Plans Reviewed:**
 - a. "Zoning/Location Survey, Map of Property Prepared for Robert Gelfand and Jody Gelfand, 23 Edgewater Hillside, Westport, Connecticut", Scale: 1" = 20', dated March 19, 2015, prepared by Walter H. Skidd- Land Surveyor LLC
 - b. "Preliminary Site Development Plan for Robert and Jody Gelfand, 23 Edgewater Hillside, Westport, CT", Scale: 1/16"= 1', dated May 17, 2016 and last revised to June 5, 2016, prepared by Sean Jancski, Landscape Architect
 - c. "Pool and Spa Information for Health Dept. for Robert and Jody Gelfand, 23 Edgewater Hillside, Westport, CT", Scale: as shown, dated June 13, 2016, prepared by Sean Jancski, Landscape Architect
 - d. "Site Development Plan, 23 Edgewater Hillside, Westport, Connecticut prepared for Robert and Jody Gelfand, Westport, Connecticut", Scale: 1" = 20', dated June 16, 2016, prepared by McChord Engineering Associates, Inc.
 - e. Architectural Plans entitled: "New Residence, 23 Edgewater Hillside, Westport, CT., prepared for Robert and Jody Gelfand", dated January 22, 2016, prepared by Pagliaro Bartels Sajda

3. WPLO

Fifteen feet from the 9' contour delineates where the WPLO boundary is located. The property is wholly within the jurisdiction of the WPLO.

The definition of a "waterway" as regulated by the WPLO is the following: "Any stream, river, brook, watercourse or tributary, both fluvial and **tidal**, including any contiguous backwater, pond or other body of water or any floodplain, swamp, marsh, bog or other wetlands."

4. Wetland Boundary

Tidal wetlands on this parcel were identified and flagged by Aleksandra Moch on March 16, 2015.

The property is bounded by a seawall located along the western property line. Soil testing along the seawall showed no presence of hydric soils or tidal vegetation. The only area which supports a tidal wetland environment is situated along the northern property line. The vegetative cover in this area is dominated by Common Reed with Marsh Elder and Groundsel Tree concentrated along the edges of the tidal wetland.

5. Permits/Applications filed: No previous applications are on file for this property.

6. Property Description and Facts Relative to this Application

- a. The site is located on the east side of Edgewater Hillside. The irregular shaped lot fronts on Sherwood Mill Pond along its eastern border. The property contains a single family residence, driveway, patio, lawn and landscape areas around the perimeter of the developed site. The property is defined along the Mill Pond by a small seawall with a set of masonry steps that provide water access. Lawn is maintained along the top of the wall. The side yards are defined by a stockade fence to the south, a stand of Phragmites and a tidal wetland area to the north.
- b. Upon a preliminary review of an initial plan submission, staff requested a joint site inspection with John Gaucher, an Environmental Analyst with DEEP Office of Long Island Sound Program. Staff was concerned that the original 5' high retaining wall as proposed would be serving as an erosion control structure. The result of the inspection was that Mr. Gaucher felt the wall did not meet the "test" as an Erosion Control Structure in so far as flooding is concerned but it might be in so far as an erosion control structure. The test was defined as if the failure of the wall would allow the fill behind it to reach the resource. He felt the original design fell into a gray area. Mr. Gaucher advised that the applicant lower the proposed wall with a design that incorporates two lower walls to "step" the fill.
- c. FEMA Designated Floodplain-The 100-year floodplain occurs on the property as designated by FEMA. The Flood Zone VE (El. 14) occurs of the property and follows the edge of the peninsula.
- d. The base flood elevation at the house location is at AE 13' NGVD. The house reconstruction will raise the finished floor 3.5 feet to elevation 14.2' (more than one foot above flood elevation).
- e. Property occurs within the Coastal Areas Management Zone, specifically identified resources are the "coastal flood hazard area, tidal wetland, and an estuarine embayment."
- f. DEP definition of estuarine embayment- "protected coastal body of water with an open connection to the sea in which saline sea water is measurably diluted by fresh water including tidal rivers, bays, lagoons and coves"
- g. Property does not occur within the Aquifer Protection Overlay Zone. However, said property is underlain by an aquifer and soils are considered groundwater recharge areas or more specifically "fine grained stratified drift."
- h. Property will be serviced by municipal water and town sanitary sewer.
- i. The Flood and Erosion Control Board approved the Application on July 6, 2016 with conditions.

7. Description of Coastal Resources

Nearshore Waters: the area comprising those waters and their substrates lying between mean high water and a depth approximated by the ten-meter contour. This resource is located to the east of the property.

Intertidal Flats: very gently sloping or flat areas located between high and low tides of muddy, silty and fine sandy sediments and generally devoid of vegetation. This resource is located waterward of the seawall that defines the eastern property line.

Estuarine Embayments: a protected coastal body of water with an open connection to the sea in which saline sea water is measurably diluted by fresh water including tidal rivers, bays, lagoons and coves. Sherwood Mill Pond is an embayment with tidal gates that regulate flow to Long Island Sound.

Shorelands: those lands within the coastal boundary exclusive of coastal hazard areas, which are not subject to dynamic coastal processes and which comprise typical upland features such as bedrock hills, till hills and drumlins. This resource is located off site to the west.

Shellfish Concentration Areas: potential or historic areas in coastal waters in which one or more species of shellfish aggregate. Sherwood Mill Pond is within a shellfish "Restricted Area" and not open for recreational use.

The goal of coastal policies in managing coastal hazard areas is to insure that the development proceeds in such a manner that hazards to life and property are minimized. Minimizing the adverse impacts of erosion and sedimentation on coastal lands is best accomplished through the promotion of nonstructural mitigation measures.

8. Consistency with Waterway Protection Line Ordinance and Staff recommendations.

Pursuant to the Waterway Protection Line Ordinance, Section 148-9, the applicant shall submit information to the Conservation Commission showing that such activity will not cause water pollution, erosion and/or environmentally related hazards to life and property and will not have an adverse impact on the preservation of the natural resources and ecosystems of the waterway, including but not limited to impact on ground and surface water, aquifers, plant and aquatic life, nutrient exchange and supply, thermal energy flow, natural pollution filtration and decomposition, habitat diversity, viability and productivity and the natural rates and processes of erosion and sedimentation.

The proposed redevelopment of the existing residential property advocates construction of a new residence in approximately the same location, however, there is an extension to the east that puts the house 60' further to the point of the peninsula and one that projects 45' closer to the tidal wetlands to the north.

The applicant wishes to raise the grade from the existing ground elevation of 6.0' NGVD to approximately 13.4" NGVD at the location of the patio surrounding the residence. This is accomplished through two retaining walls. The lower wall is approximately 4' in height and the second wall raises the grade another 3'.

One of staffs' concerns center around the structural integrity of the proposed retaining wall. Has the wall been designed to limit or minimize the potential for failure during a storm event? This information would assist the Commission in determining the potential for a failed wall. It does not appear that a construction detail has been provided with this application. Will displaced fill from behind these proposed walls, should they fail, reach the pond?

Site improvements which consist of retaining walls and fill are occurring within the 25' tidal wetland setback.

Zoning regulations for the Town require a structure to meet a 25-foot setback from tidal wetlands. The 25 ft. buffer also meets the intent of WPLO regulations by improving water quality, decreasing water velocities, and contributing to additional flood space through water absorption. In a legal opinion by Town Attorney, Ira Bloom, on July 31, 2002, it was determined that the Conservation Commission does have the authority to require a reasonable buffer width to help protect the functions of tidal wetlands.

The applicant has proposed a shoreline buffer of native grasses around the peninsula of the parcel at an average width of approximately 10'. This involves removing the existing lawn and replanting with the native grasses. This filter strip of grass will aid in treating overland stormwater runoff from the site's remaining lawn areas prior to reaching the pond.

Proposed control and management of the Phragmites stand along the northern property line will include cutting, spraying and reseeded the area to reestablish native plants. The Commission finds control shall begin with the demolition of the house and continue with a 3-year commitment of management.

The Commission concurs with the environmental report submitted by Environmental Land Solutions, LLC dated June 22, 2016 which recommends native plantings within the phragmites stand and a Purple Martin nest box (state listed species of Special Concern).

The Commission concurs with the proposal of a rain garden to handle the stormwater runoff from the driveway as well as subsurface infiltration units. Substantial fill is proposed for the driveway area which is creating an approximate 10% grade. Catch basin grates direct the runoff to the rain garden. The existing grade is at the top of the driveway location is about 7.4' NGVD and the proposed grades for the infiltrators is proposed at 11.0'NGVD. The Commission finds that as these infiltrators are proposed in inert soil conditions, the rain garden is essential for stormwater renovation.

Staff is concerned with the soil profile as described for test hole #1. There is 18" of fill over an original organic soil layer which indicates it was once part of the tidal wetland complex. The Commission finds that retaining walls built in this area will need special construction methods and/or footings as the subbase is organic and most likely saturated twice daily to elevation 5.3' NGVD. The current existing grade in this area is at approximately 6.5' NGVD.

The silt fence backed with haybales surrounds the proposed construction site. As this property lies at approximately elevation 6.0' even a 25-year storm event would flood the site with approximately 3' of water. The Commission finds that provisions for protection of the site and a plan for implementation should be in place should a significant storm event be forecasted.

The Commission finds that the site plan submitted shows a silt fence within 6' to 10' from the proposed foundation wall and retaining wall in some locations on the northerly side of the parcel. The Commission finds that this may be an unrealistic distance for proposed construction activities with a project of this magnitude.

The Commission finds the applicant needs to explain how this tight of a distance works, whether the silt fence location needs to amended, or whether the design needs to be amended to avoid closer intrusion to the tidal wetlands.

The Commission is to determine the extent (width) required for this buffer as the site is wholly under the jurisdiction of the Waterway Protection Line Ordinance. It is under the Commission's purview to determine the width of the vegetative buffer warranted on this site. The Commission finds the submitted proposal for the vegetative planting width of 10' from the edge of the seawall adjacent to the pond is acceptable. The "Connecticut Coastal Management Manual" prepared by the State of Connecticut, DEP, September, 2000 also encourages use of vegetative buffers to control or mitigate on-site and off-site impacts from soil erosion, sedimentation and storm water runoff.

Due to close proximity to tidal wetlands and Sherwood Mill Pond and the extensive site work proposed, the Commission finds a construction monitor should be retained for this project. This will also aid in preventing erosion issues during construction by conducting inspections on a regular basis. All on-site construction dumpsters shall be secured and covered at the end of the work say and in the event of a storm event. The Commission finds that due to the proximity of the construction activity to the resources, this will prevent construction debris and other potential pollutants from entering the Sherwood Mill Pond.

The Commission finds the applicant shall construct a pervious paver driveway, patios and walkways. The Commission finds the combination of these low impact development concepts will attenuate more floodwaters and reduce the likelihood of pollutants to sheet flow into the wetlands.

Staff referred the revised design to John Gaucher, Environmental Analyst for CT DEEP Office of Long Island Sound for his opinion of the proposed and revised wall design.

In a report dated July 14, 2016 Mr. Gaucher states the following:

1. The proposed wall would not materially alter or affect flooding onsite or adjacent properties
2. The wall is setback 25' on a nearly flat grade landward of an existing shoreline seawall
3. The wall is not proposed in or near the recently updated VE-zone boundary
4. The height of the wall is approximately 1/6th the distance of the setback, thus a significant amount of retained soil, should the wall fail, would not be expected to migrate to the mill pond; and
5. Portions of the proposed wall are close to or immediately adjacent to the proposed dwelling foundation, thus it appears to be acting solely as a landscaping structure.

Mr. Wilberg, Deputy Town Engineer finds that the distance between the northern most edge of the detention system and the first pair of retaining walls is acceptable as designed. The 4" PVC overflow pipe will guarantee that the water level is never higher than 9'. This design is adequate.

The Commission finds they support the Flood and Erosion Control Board imposed Condition of Approval that the walls be designed for VE Zone criteria which will result in a more conservative design than a conventional wall and will limit and/or minimize the potential for wall failure during a 100-year storm event.

Conservation Commission
TOWN OF WESTPORT
Conditions of Approval
Application # WPL 10245-16
Street Address: 23 Edgewater Hillside
Assessor's: Map E 05 Lot 082
Date of Resolution: July 20, 2016

Project Description: Demolition and removal of the existing single family dwelling and the construction of a new single family dwelling, driveway and pool to current FEMA standards. Work is within the 25-year floodplain and the WPLO area of the Sherwood Mill Pond.

Owner of Record: Robert and Jody Gelfand

Applicant: Steve McAllister of McChord Engineering

In accordance with Section 30-93 of the *Waterway Protection Line Ordinance* and on the basis of the evidence of record, the Conservation Commission resolves to **APPROVE** Application #**WPL 10245-16** with the following conditions:

1. It is the responsibility of the applicant to obtain any other assent, permit or license required by law or regulation of the Government of the United States, State of Connecticut, or of any political subdivision thereof.
2. If an activity also requires zoning or subdivision approval, special permit or special exception under section 8.3(g), 8-3c, or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit shall commence until such approval is obtained.
3. If an approval or permit is granted by another Agency and contains conditions affecting wetlands and/or watercourses, the applicant must resubmit the application for further consideration by the Commission for a decision before work on the activity is to take place.
4. The Conservation Department shall be notified at least forty-eight (48) hours in advance of the initiation of the regulated activity for inspection of the erosion and sediment controls.
5. All activities for the prevention of erosion, such as silt fences and hay bales shall be under the direct supervision of the site contractor who shall employ the best management practices to control storm water discharges and to prevent erosion and sedimentation to otherwise prevent pollution, impairment, or destruction of wetlands or watercourses. Erosion controls are to be inspected by the applicant or agent weekly and after rains and all deficiencies must be remediated with twenty-four hours of finding them.

6. The applicant shall take all necessary steps to control storm water discharges to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and watercourse.
7. Organic Landscaping practices are recommended as described by the Northeast Organic Farming Association.
8. All plants proposed in regulated areas must be non-invasive and native to North America.
9. Trees to remain are to be protected with tree protection fencing prior to construction commencement.
10. The bottom of all storm water retention structures shall be placed no less than 1 foot above seasonal high groundwater elevation.
11. The applicant shall immediately inform the Conservation Department of problems involving sedimentation, erosion, downstream siltation or any unexpected adverse impacts, which development in the course or are caused by the work.
12. On-site dumpsters in use during construction activity shall be fully covered and secured at the end of each work day and in the event of a storm event.
13. Any material, man-made or natural which is in any way disturbed and/or utilized during the work shall not be deposited in any wetlands or watercourse unless authorized by this permit.
14. A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.
15. Conformance to the Flood and Erosion Control Board Conditions of Approval of July 6, 2016.

SPECIAL CONDITIONS OF APPROVAL

16. Conformance to the plans entitled:
 - a. "Zoning/Location Survey, Map of Property Prepared for Robert Gelfand and Jody Gelfand, 23 Edgewater Hillside, Westport, Connecticut", Scale: 1" = 20', dated March 19, 2015, prepared by Walter H. Skidd- Land Surveyor LLC
 - b. "Preliminary Site Development Plan for Robert and Jody Gelfand, 23 Edgewater Hillside, Westport, CT", Scale: 1/16" = 1', dated May 17, 2016 and last revised to June 13, 2016, prepared by Sean Jancski, Landscape Architect
 - c. "Pool and Spa Information for Health Dept. for Robert and Jody Gelfand, 23 Edgewater Hillside, Westport, CT", Scale: as shown, dated June 13, 2016, prepared by Sean Jancski, Landscape Architect
 - d. "Site Development Plan, 23 Edgewater Hillside, Westport, Connecticut prepared for Robert and Jody Gelfand, Westport, Connecticut", Scale: 1" = 20', dated June 16, 2016, prepared by McChord Engineering Associates, Inc.
 - e. Architectural Plans entitled: "New Residence, 23 Edgewater Hillside, Westport, CT., prepared for Robert and Jody Gelfand", dated January 22, 2016, prepared by Pagliaro Bartels Sajda
17. Revision to the site plan to show proposed retaining walls designed to VE flood zone standards shall be submitted to the Conservation Department for the review and approval in conjunction with the Engineering Department prior to the issuance of a Zoning permit.
18. Revision to the site plan to show all proposed silt fence locations to be a minimum of 10' from the perimeter of the proposed activity shall be submitted to the Conservation department prior to the issuance of a Zoning permit.
19. A site monitor is to be approved by the Conservation Department. The site monitor shall be retained by the applicant with contact information submitted to the Conservation Department prior to the issuance of a zoning permit. Weekly reports shall be submitted to the Conservation Department during the initial clearing, installation of sedimentation controls excavation, wall construction, filling, and at the time of final site stabilization. Reports shall be submitted immediately following rain events of 1" or greater.
20. Identification of the origin of the source of the fill material shall be supplied to the Conservation Department prior to the issuance of a Zoning permit. The contractor and/or owners shall certify to the Conservation Department that the fill used on the property is free of hazardous wastes and/or chemicals prior to the issuance of a Conservation Certificate of Compliance.

21. Project engineer to witness installation of proposed rain garden and certify it meets the proposed design standards prior to the issuance of a Conservation Certificate of Compliance.
22. A performance bond to cover the cost of the coastal zone mitigation plantings, the rain garden plantings, the sediment and erosion controls and the 3 year phragmite removal monitoring shall be posted with the Conservation Department prior to the issuance of a zoning permit.
23. A landscape professional shall oversee the phragmite control including the introduction of native plant species. An annual report on the condition and measures taken for control shall be submitted to the Conservation Department for 3 years commencing at the time of demolition of the existing residence.
24. Submission of a Construction Sequencing Plan for tiered walls, fill and crawl space construction that addresses the sites' vulnerability to flooding in order to minimize erosion and secure fill shall be submitted to the Conservation Department prior to the issuance of a Zoning permit.
25. Driveways and patios shall remain pervious in perpetuity with said restriction placed on the Land Records prior to the issuance of a Conservation Certificate of Compliance.

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.

This approval may be revoked or suspended if the applicant exceeds the conditions or limitations of this approval, or has secured this application through inaccurate information.

Motion: Shea

Second: Corroon

Ayes: Field, Shea, Davis, Bancroft, Rycenga, Corroon

Nays: 0

Abstentions: 0

Votes: 6:0:0

- 3. 115 Harbor Road:** Application #WPL-10247-16 by Land-Tech Consultants on behalf of L. Adele Weitzman to construct a private dock, reorientation of stairs to accommodate the new dock, and elevation of the existing seawall by one-foot. Work is within the WPLO area of the Saugatuck River.

This application was postponed to September 21, 2016.

Work Session II:

1. **1177 Post Road East, aka 1175 Post Road East (Assessor's Map G9, Lot 29, Unit 000):**
Rendering of Decision: Application #IWW-10191-16 by Christopher J Smith, Esq. on behalf of 1177 PRE Associates, Inc. to convert existing commercial building to ninety-four (94) multi-family residential rental housing development. Conversion is to include an addition to the existing building, pavement and subsurface drainage improvements. Work is within the 75 upland review area.
2. **1177 Post Road East, aka 1175 Post Road East (Assessor's Map G9, Lot 29, Unit 000):**
Rendering of Decision: Application #WPL-10218-16 by Christopher J Smith, Esq. on behalf of 1177 PRE Associates, Inc. to convert existing commercial building to ninety-four (94) multi-family residential rental housing development. Conversion is to include an addition to the existing building, pavement and subsurface drainage improvements. A portion of the work is within the WPLO area of Muddy Brook.

Mr. Corroon stated he had read the minutes and had fully familiarized himself with the record and felt he could vote.

Ms. Mozian noted that the applicant had submitted two proposals but had indicated the alternate plan is the preferred one. This necessitated creation of three additional parking spaces within the Conservation Easement Area. She, also, emphasized the importance of maintaining the drainage.

**Findings
Applications:
WPL 10218-16
and
IWW 10191-16
1177 Post Road East**

1. **Receipt Date:** May 18, 2016
2. **Application Classification:** Summary
3. **Application Request:** To convert an existing commercial building to ninety-four (94) multi-family residential rental housing development. Conversion is to include an addition to the existing building, pavement and subsurface drainage improvements. Work is within the 75 upland review area and the WPLO area of Muddy Brook. The 100-year floodplain occurs on this property.
4. **Previous applications for this property:**
5. **Plans Reviewed:**
 - a) "Project Site Vicinity Map, 1177 Post Road East", prepared for 1177 Pre Associates, LLC, Westport, Connecticut, (Sheet 1 of 12), Scale: 1" = 40', dated March 10, 2016, prepared by Milone & MacBroom
 - b) "Notes and Legend, 1177 Post Road East, Westport, Connecticut" (Sheet 2 of 12), dated March 10, 2016 prepared by Milone & MacBroom
 - c) "Existing Conditions, 1177 Post Road East, Westport, Connecticut" (Sheet 3 of 12), dated March 10, 2016 and last revised to June 8, 2016 prepared by Milone & MacBroom
 - d) "Site Plan- Layout & Landscaping, 1177 Post Road East, Westport, Connecticut" (Sheet 4 of 12), dated March 10, 2016 and last revised to June 8, 2016 prepared by Milone & MacBroom
 - e) "Site Plan- Proposed Surface Finishes, 1177 Post Road East, Westport, Connecticut" (Sheet 5 of 12), Scale: 1" = 20', dated March 10, 2016 and last revised to June 8, 2016 prepared by Milone & MacBroom
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- i) "Site Details, 1177 Post Road East, Westport, Connecticut" (Sheet 9 of 12), dated March 10, 2016 and last revised to June 8, 2016 prepared by Milone & MacBroom
- j) "Site Details, 1177 Post Road East, Westport, Connecticut" (Sheet 10 of 11), dated March 10, 2016 prepared by Milone & MacBroom
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- m) "Plot Plan Prepared for 1177 PRE Associates, LLC, 1177 Post Road East, Westport, Connecticut", Scale: 1"= 20', dated February 19, 2016, prepared by Leonard Surveyors LLC
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6. Property description and facts relative to this application:

- a. Inland wetlands do not occur on the subject property but wetlands have been flagged and identified on the property to the north identified as 1141 Post Road East by Stephen Danzer, Otto Theall and William Kenny all of which are certified soil scientists and all concur with the flagging. The wetland system shown on the site plan as flags 1-3 and 7-11 is a lowland swamp which is a fringe floodplain wetland connecting to a larger floodplain adjacent to Muddy Brook.
- b. The wetland boundary of this system located within the proximity of the site extends across three adjacent properties- 1221 Post Road East, 3 Donald Drive, and 1141 Post Road East. The second wetland system, flags 20-24, is a depression created in part by land disturbance and possible hydrated by a storm drain outlet commencing from the subject property.
- c. The depression wetland was created in the early 1980s. The creation of this area was required by the Town as a Condition of Approval of the original office building to offset the potential downstream flooding of Muddy Brook. It is currently operating as a sediment basin and as a detention basin.
- d. The 75' and the 30' IWW upland review area from the wetland systems crosses the property boundary in two locations. In addition, Muddy Brook crosses through the westerly portion of the parcel through two underground steel pipes of 60" and 72" diameter. This condition dictates that the property therefore contains the floodway and the WPLO of Muddy Brook.
- e. Wetlands Inventory Study Description prepared by Flaherty Giavara Associates, P.C. June 1983, indicate the wetlands occurring off site as a "streamside floodplain, marsh and wooded swamp surrounded by 100% residential."
- f. Property is outside Coastal Area Management zones.
- g. The total area of this parcel is 85,430 s.f. Total coverage on the parcel is proposed to be at 75.98%. Allowable coverage is 80%.
- h. The 100-year flood boundary line, Flood Zone AE and Flood Zone X are depicted on the survey plan as shown on the National Flood Insurance Program Panel 0414G, FIRM Insurance Rate Map, Fairfield County, Connecticut, Map # 09001C0414G, Map revised July 8, 2013 and is designated as Elevation 31.
- i. The WPLO boundary as shown on the survey plan is established 15ft off of the 25-year floodplain boundary of the Leonard Jackson study.

Section 3.21 of the Town of Westport Wetland Regulations defines "Significant Impact" as:

- a) Any activity involving a deposition of material which will or may have a substantial adverse effect on the regulated area or on another part of the wetland or watercourse system; or
- b) Any activity involving removal of material which will or may have a substantial adverse effect on the regulated area or on another part of the wetland and watercourse system; or
- c) Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system; or
- d) Any activity which substantially diminishes the natural capacity of a wetland or watercourse to support desirable biological life, prevent flooding, supply water, assimilate waste, facilitate drainage and/or provide recreation and open space; or

- e) Any activity which would result in the degrading of a watercourse of the surface and/or groundwater of a wetland which would be consistent with the goals and purposes of these Regulations.

The Commission is to review the proposed activities and based on the criteria above, determine if the proposed project will cause significant impacts or major effects to the wetland resources. There are no wetlands on the property, all improvements will be taking place over existing pavement, there are numerous low impact development and water quality provisions being offered, the Flood and Erosion Control Board has approved this project and minimal site disturbance will be taking place. For these reasons as enumerated, the Commission finds this project represents a significant impact as defined by the Regulations.

7. Conformance to Section 6 of the Inland Wetlands and Watercourses Regulations

6.1 GENERAL STANDARDS

- a) disturbance and pollution are minimized;
- b) minimize height, width, length of structures are limited to the minimum; dimension to accomplish the intended function;
- c) loss of fish, other beneficial organisms, wildlife and vegetation are prevented;
- d) potable fresh water supplies are protected from dangers of drought, overdraft, pollution, misuse and mismanagement;
- e) maintain conservation, economic, recreational and aesthetic qualities;
- f) consider historical sites

The flagged wetland boundary as represented on the site plan is being utilized for this application review as well as the regulated upland review areas associated with the designated wetland boundary. The flagged wetland has been reviewed and has concurrence by three certified soil scientists (Otto Theall, William Kenny and Steven Danzer).

All proposed site work and proposed building work will be located outside the 75' IWW upland review area for commercial activity. A very small portion of the existing parking lot (which will be resurfaced to be permeable) in the north east corner lies within the 30' upland review area.

The majority of the parking and the building footprint expansion for this project will be at grade and therefore, little to no grade change and/or excavation is anticipated. Three additional parking spaces are to be created along the western property boundary, the excavation of which will create additional flood storage area as referenced and approved by Peter Ratkiewich, Town Engineer in his staff report of May 16, 2016. All proposed building construction activity is to take place over existing asphalt parking and driveway.

No footprint alteration is proposed for the existing building. All buildings will be FEMA compliant.

Provision for enhanced stormwater detention and quality treatment measures to mitigate future impacts to off-site wetlands or watercourses is being provided.

6.2 WATER QUALITY

- a) flushing rates, freshwater sources, existing basin characteristics and channel contours will not be adversely altered;
- b) water stagnation will neither be contributed nor caused;
- c) water pollution will not affect fauna, flora, physical or chemical nature of a regulated area, or the propagation and habitats of fish and wildlife, pollution of groundwater or a significant aquifer will not result (*groundwater recharge area or Aquifer Protection Overlay Zone*);
- d) all applicable state and local health codes shall be met;
- e) water quality will be maintained or improved in accordance with the standards set by federal, state, and local authority including section 25-54(e) of the Connecticut General Statutes;
- f) prevents pollution of surface water

A letter was sent by staff to Milone & MacBroom on May 5, 2016 asking the applicant to address preliminary concerns following a cursory review of the submitted plans.

A response letter was received from Ted Hart, Engineer on May 26, 2016. Staff's concerns centered around general groundwater flow direction, groundwater depth, plans for modification to off-site wetlands, operation and maintenance of the stormwater systems as proposed and proposed maintenance of the proposed green roof. All of these concerns were based on protection of the resource and of water quality associated with storm water runoff. Of particular interest was the analysis of groundwater flow direction and proposed infiltration rates for groundwater recharge to offsite wetlands. The engineer has stated that the stormwater management system will have a positive effect on the off-site wetlands by returning to a more natural hydrologic regime than what existed prior to the surrounding development. The Commission finds the report satisfactorily addresses staff concerns.

A Phase I Environmental Site Assessment has been completed for this property. The Commission finds a copy of the executive summary of the report shall be submitted to the Conservation Department as a Condition of Approval. The Commission finds that water quality issues that could impact Muddy brook must be addressed during construction.

The Commission finds the majority of the water quality of the storm water runoff will be achieved through subsurface infiltration and utilizing low impact development concepts such as a permeable surface.

All catch basins are proposed to have a minimum of 4' sumps and bell traps. Two hydrodynamic separators are proposed to trap suspended solids and other potential stormwater pollutants prior to entering two underground infiltration systems.

The use of a green roof reduces stormwater runoff, reduces acidity of runoff and adds thermal protection to stormwater runoff. The porous pavement is designed to convey stormwater through the pavement into an underlying stone reservoir where water can be retained and infiltrated. The Town Engineer has determined that the proposed project will not impact the floodway boundary and the existing and proposed buildings will be FEMA compliant.

The drainage calculations show that the proposed site improvements will achieve a reduction in both peak flow and volume of runoff from the site as compared to existing conditions for all storm events.

Property is serviced by municipal sewer.

6.3 EROSION AND SEDIMENT

- a)** temporary erosion control measures shall be utilized during construction and for the stabilization period following construction;
- b)** permanent erosion control measures shall be utilized using nonstructural alternatives whenever possible and structural alternatives when avoidable;
- c)** existing circulation patterns, water velocity, or exposure to storm and flood conditions shall not be adversely altered;
- d)** formation of deposits harmful to aquatic life and or wetlands habitat will not occur;
- e)** applicable state, federal and local guidelines shall be met.

A comprehensive Erosion and Sediment Control Plan has been prepared for the project construction as well as a Construction Sequence narrative.

An Operation and Maintenance Schedule for post construction management of the site and the Low Impact Development components of the stormwater management has been provided. The Commission finds a maintenance plan for the parking lot drainage structures shall be submitted to the Conservation Department. A logbook recording compliance with the maintenance schedule shall be held on site and made available for review by Town Officials.

The Commission finds the S&E Plan includes satisfactory specifications for land grading, topsoiling, temporary and permanent vegetative cover, mulching and erosion checks. All specifications are in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.

The construction site is to be bordered by filter fence and will be fortified with staked haybales in areas upgradient of the wetland areas. A stone construction entrance will be provided at the main entrance along Post Road East. During construction, inlet protection will be provided at each drainage inlet to prevent sediment from entering the storm drainage system.

6.4 NATURAL HABITAT STANDARDS

- a) critical habitats areas,
- b) the existing biological productivity of any Wetland and Watercourse shall be maintained or improved;
- c) breeding, nesting and or feeding habitats of wildlife will not be significantly altered;
- d) movements and lifestyles of fish and wildlife (plant and aquatic life) will not be significantly affected;
- e) periods of seasonal fish runs and bird migrations shall not be impeded;
- f) conservation or open space easements will be deeded whenever appropriate to protect these natural habitats

The Commission finds the project is not anticipated to impact natural habitats of the adjacent wetlands.

6.5 DISCHARGE AND RUNOFF

- a) the potential for flood damage on adjacent or adjoining properties will not be increased;
- b) the velocity or volume of flood waters both into and out of Wetlands and Watercourses will not be adversely altered;
- c) the capacity of any wetland or watercourse to transmit or absorb flood waters will not be significantly reduced;
- d) flooding upstream or downstream of the location site will not be significantly increased;
- e) the activity is acceptable to the Flood & Erosion Control Board and or the Town Engineer of the municipality of Westport

The Commission finds the stormwater management system has been designed using Low Impact Development (LID) techniques and Best Management Practices (BMPs). Extensive runoff reduction measures have been incorporated into the design by proposing a green roof system for the building addition and replacing the bituminous pavement with porous asphalt. Two underground infiltration storage systems are proposed to retain and infiltrate runoff and provide peak flow attenuation.

Any excess runoff that does not pass through the porous asphalt will be collected in a drainage subsystem consisting of catch basin inlets and pipes. All proposed catch basin inlets will include 4-foot deep sumps to improve removal of total suspended solids and floatables. The existing catch basins will be replaced with 4-foot deep sump structures. In addition, two hydrodynamic separators are proposed to trap suspended solids and other potential stormwater pollutants prior to entering two underground infiltration systems.

It is the opinion of the project engineer that these provisions are adequate to meet the Town of Westport drainage requirements.

The existing site provides no formal drainage structures. The Town Engineer indicates there will be no effect on the waterway nor the floodway of Muddy Brook from the proposed conditions. The small area of excavation beneath the proposed addition allows for more flood storage than exists now.

The Commission finds there will be a reduction in the runoff generated from this site and therefore the velocity and volume of flood waters both into and out of the wetlands and watercourses will not be

adversely impacted. The submitted drainage calculations show that proposed grading will not have any adverse impacts to the neighboring properties.

The Flood and Erosion Control Board approved this project with conditions on June 1, 2016.

6.6 RECREATIONAL AND PUBLIC USES

There should be no adverse impact to recreational and public uses.

Waterway Protection Line Ordinance

The WPL Ordinance requires that the Conservation Commission consider the following when reviewing an application:

“ An applicant shall submit information to the Conservation Commission showing that such activity will not cause water pollution, erosion and/or environmentally related hazards to life and property and will not have an adverse impact on the preservation of the natural resources and ecosystems of the waterway, including but not limited to: impact on ground and surface water, aquifers, plant and aquatic life, nutrient exchange and supply, thermal energy flow, natural pollution filtration and decomposition, habitat diversity, viability and productivity and the natural rates and processes of erosion and sedimentation.”

On this property the WPLO boundary is established 15 ft. from the 25 yr. floodplain boundary as established by the Jackson study. Some of the proposed site work and drainage appurtenances will take place within the boundary. At this time, Muddy Brook flows through this property in two pipes of 60” and 72” diameter.

The Commission finds it has been confirmed by the Engineering Department that the proposed project will be FEMA compliant and will not impact the floodway and/or flood heights of Muddy Brook.

For the reasons enumerated above, the Commission finds that the project as proposed will not cause water pollution, erosion and/or environmentally related hazards to life and property or have an adverse impact of the natural resources and ecosystems of the waterway as outlined in Section 30-93 of the WPL Ordinance.

Conservation Commission
TOWN OF WESTPORT
Conditions of Approval
Application # IWW 10191-16 and WPL 10218-16
Street Address: 1177 Post Road East
Assessor's: Map G 09 Lot 029
Date of Resolution: July 20, 2016

Project Description: To convert an existing commercial building to a ninety-four (94) multi-family residential rental housing development. Conversion is to include a three story addition to the existing building, pavement and subsurface drainage improvements. A portion of the work is within the 75-foot upland review area and the WPLO area of Muddy Brook.

Owner of Record: 1177 PRE Associates LLC

Applicant: Christopher J. Smith, Esq. of Shipman & Goodwin LLP

In accordance with *Section 6 of the Regulations for the Protection and Preservation of Wetlands and Watercourses of Westport* and Section 30-93 of the *Waterway Protection Line Ordinance* and on the basis of the evidence of record, the Conservation Commission resolves to **APPROVE** Applications #**IWW 10191-16** and **WPL 10218-16** with the following conditions:

26. Completion of the regulated activity shall be within FIVE (5) years following the date of approval. Any application to renew a permit shall be granted upon request of the permit holder unless the Commission finds there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued provided no permit may be valid for more than TEN (10) years.
27. Permits are not transferable without the prior written consent of the Conservation Commission.
28. It is the responsibility of the applicant to obtain any other assent, permit or license required by law or regulation of the Government of the United States, State of Connecticut, or of any political subdivision thereof.
29. If an activity also requires zoning or subdivision approval, special permit or special exception under section 8.3(g), 8-3c, or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit shall commence until such approval is obtained.
30. If an approval or permit is granted by another Agency and contains conditions affecting wetlands and/or watercourses, the applicant must resubmit the application for further consideration by the Commission for a decision before work on the activity is to take place.
31. The Conservation Department shall be notified at least forty-eight (48) hours in advance of the initiation of the regulated activity for inspection of the erosion and sediment controls.
32. All activities for the prevention of erosion, such as silt fences and hay bales shall be under the direct supervision of the site contractor who shall employ the best management practices to control storm water discharges and to prevent erosion and sedimentation to otherwise prevent pollution, impairment, or destruction of wetlands or watercourses. Erosion controls are to be inspected by the applicant or agent weekly and after rains and all deficiencies must be remediated with twenty-four hours of finding them.
33. The applicant shall take all necessary steps to control storm water discharges to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and watercourse.
34. Organic Landscaping practices are recommended as described by the Northeast Organic Farming Association.
35. All plants proposed in regulated areas must be non-invasive and native to North America.
36. Trees to remain are to be protected with tree protection fencing prior to construction commencement.
37. The bottom of all storm water retention structures shall be placed no less than 1 foot above seasonal high groundwater elevation.
38. The applicant shall immediately inform the Conservation Department of problems involving sedimentation, erosion, downstream siltation or any unexpected adverse impacts, which development in the course or are caused by the work.
39. Any material, man-made or natural which is in any way disturbed and/or utilized during the work shall not be deposited in any wetlands or watercourse unless authorized by this permit.
40. A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.
41. Conformance to the conditions of the Flood and Erosion Control Board of June 1, 2016.

SPECIAL CONDITIONS OF APPROVAL

42. Conformance to the following plans:
 - a. "Project Site Vicinity Map, 1177 Post Road East", prepared for 1177 Pre Associates, LLC, Westport, Connecticut, (Sheet 1 of 12), Scale: 1" = 40', dated March 10, 2016, prepared by Milone & MacBroom
 - b. "Notes and Legend, 1177 Post Road East, Westport, Connecticut" (Sheet 2 of 12), dated March 10, 2016 prepared by Milone & MacBroom
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43. A maintenance plan for the parking lot drainage structures shall be submitted to the Conservation Department for review and approval in conjunction with the Engineering Department prior to the issuance of a zoning permit. A logbook recording compliance with the above maintenance schedule shall be held on site and made available for review by Town officials.
44. A maintenance plan for the "Green roof" shall be prepared by the design engineer and submitted to the Conservation Department prior to the issuance of a zoning permit.
45. A copy of the executive summary of the Phase I Environmental report shall be submitted to the Conservation Department prior to the issuance of a Zoning permit. Any water quality issues that could impact Muddy Brook should be addressed during construction and a report of completion issued to the Conservation Department prior to the issuance of a Conservation Certificate of Compliance.
46. Should the proposed three story "Alternate Design" plans be modified or other architectural plans chosen, the applicant shall return to the Conservation Commission for review and approval.
47. Installation of the permeable parking lot, additional drainage structures and the "green roof" shall be certified by the design engineer as meeting all the required design specifications prior to the issuance of a Conservation Certificate of Compliance.

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.

This approval may be revoked or suspended if the applicant exceeds the conditions or limitations of this approval, or has secured this application through inaccurate information.

Motion: Rycenga **Second:** Shea
Ayes: Rycenga, Shea, Field, Bancroft, Davis, Corroon
Nays: 0 **Abstentions:** 0 **Vote:** 6:0:0

3. Other business.

The July 22, 2016 Public Hearing of the Westport Conservation Commission adjourned at 9:18 p.m.

Motion: **Shea** **Second:** **Corroon**
Ayes: **Shea, Corroon, Bancroft, Davis, Field, Rycenga**
Nays: **None** **Abstentions:** **None** **Vote:** **6:0:0**