



WESTPORT CONNECTICUT
CONSERVATION COMMISSION
110 MYRTLE AVENUE
WESTPORT, CT 06880
(203) 341-1170

ACTION MINUTES
WESTPORT CONSERVATION COMMISSION
SPECIAL MEETING
FEBRUARY 13, 2012

Members Present: W. Fergus Porter, Chair; Pat Shea, Secretary; Kathy Belzer; Ralph Field; Anna Rycenga; John Skinner, Alternate

Staff Present: Alicia Mozian, Conservation Director; Lynne Krynicki, Conservation Analyst; Colin Kelly, Conservation Compliance Officer

Alternate John Washburn was in the audience but did not participate in the hearing.

Work Session I: Auditorium, 7:00 p.m.

1. Receipt of Applications – NONE TO RECEIVE AS SUBMISSION DEADLINE IS FEBRUARY 16, 2012.
2. Report by Colin Kelly, Conservation Compliance Officer on the status of existing enforcement activity. – MR. KELLY REVIEWED THE 2011 ENFORCEMENT REPORT WITH THE COMMISSION.
3. 3 Donald Dr.: Request by Ruth Ayles for an extension of Permit #IWW/WPL-8026-07 granted in March 2007 for legalization of fill and a stonewall and the construction of a two story addition. – MOTION TO GRANT PERMIT EXTENSION TO MARCH 2016.

Motion: Shea Second: Field
Ayes: Shea, Field, Belzer, Porter, Rycenga, Skinner
Nays: None Abstentions: None Vote: 6:0:0

4. 11 Woodside Lane: Application #AA,WPL/E-8935-11, Request by Thomas Wormser on behalf of 11 Woodside Lane LLC to allow staff to reissue an administrative approval for house renovation, 2nd story addition and a ground floor addition that was revoked for exceeding the scope of a permit. – MR. SKINNER RECUSED FROM HEARING THIS REQUEST AND LEFT THE AUDITORIUM.

REQUEST DENIED. PUBLIC HEARING REQUIRED.

Motion: Rycenga Second: Shea
Ayes: Rycenga, Shea, Belzer, Field, Porter
Nays: None Abstentions: None Vote: 5:0:0

5. Approval of January 18, 2012 meeting minutes. – APPROVED AS SUBMITTED.

Motion: Rycenga Second: Shea
Ayes: Rycenga, Shea, Belzer, Field, Porter
Nays: None Abstentions: None Vote: 5:0:0

6. Other Business

- a. The Habitat – MS. MOZIAN HIGHLIGHTED AN ARTICLE ON P. 8 FROM CACIWC'S WINTER 2011 ISSUE OF "THE HABITAT" ENTITLED "SUBSTANTIAL EVIDENCE AGENCY DENIAL" AND FROM THE SUMMER 2011 ISSUE, SHE SUBMITTED AN ARTICLE ENTITLED "SEPTIC SYSTEMS AND THE WETLANDS ACT".

Mr. Skinner returned at 6:55 p.m.

Public Hearing: Auditorium

1. 0 Darbrook Road, Assessor PID # E11004000: Application #IWW/M-8978-11 by George A Frank of Westport Building Co, LLC to amend wetland boundary map E-11. – MS. BELZER RECUSED HERSELF FROM HEARING THIS APPLICATION.

TESTIMONY TAKEN. APPLICATION CONTINUED TO MARCH 21, 2011 FOR RECEIPT OF AMENDED MAP.

Motion: Rycenga Second: Field
Ayes: Rycenga, Field, Porter, Shea, Skinner
Nays: None Abstentions: None Vote: 5:0:0

2. 0 Darbrook Road, Assessor PID #E11005000: Application #IWW/M-8979-11 by George A Frank of Westport Building Co, LLC to amend wetland boundary map E-11. – MS. BELZER RECUSED HERSELF FROM HEARING THIS APPLICATION.

MOTION TO APPROVE WITH CONDITIONS.

Motion: Shea Second: Field
Ayes: Shea, Field, Porter, Rycenga, Skinner
Nays: None Abstentions: None Vote: 5:0:0

Ms. Belzer returned at 8:25 p.m.

3. 5 Ambler Road West: Application #IWW/M-9010-12 by Gary Spector and Marcia Ghitnick to amend wetland boundary map G9. – MOTION TO APPROVE WITH CONDITIONS.

Motion: Field Second: Shea
Ayes: Field, Shea, Belzer, Porter, Rycenga, Skinner
Nays: None Abstentions: None Vote: 6:0:0

4. 2 Pritchard Lane: Application #IWW/M-9014-12 by Mattera Construction Co., LLC to amend wetland boundary map #H8. – MOTION TO APPROVE WITH CONDITONS.

Motion: Belzer Second: Shea
Ayes: Belzer, Shea, Field, Porter, Rycenga, Skinner
Nays: None Abstentions: None Vote: 6:0:0

5. 105 Harbor Road: Application #WPL-9016-12 by Roberge Associates Coastal Engineers on behalf of Herbert Van Wyngaarden to install a new gangway and floating dock attached to the waterward terminus of an existing pier. Work is within the WPLO area and the 25 year and the 100 year floodplain of the Saugatuck River. (POSTPONED TO March 21, 2012.)

6. 9 Roosevelt Road: Application #WPL-9017-12 by Patricia M Miller on behalf of 9 Roosevelt Road, LLC (Linda B Feld) for the removal of an existing single family residence and detached garage and the construction of a new single family residence with attached garage and associated site improvements. Work is within the WPLO area, the 25 year and the 100 year flood zone of Gray's Creek (Saugatuck River). – MR. SKINNER RECUSED HIMSELF FROM HEARING THIS APPLICATION.

MOTION TO APPROVE WITH CONDITIONS.

Motion: Rycenga Second: Shea
Ayes: Rycenga, Shea, Belzer, Field, Porter,
Nays: None Abstentions: None Vote: 5:0:0

7. Presentation and discussion of proposed change in policy for determining the presence and location of wetlands on properties within the town of Westport. A copy of the proposal is available in the Conservation Department. – MS. MOZIAN NOTED THE PROCEDURE FOR GOING FORWARD. SHE STATED THE DRAFT

POLICY WAS SENT OUT TO 123 INTERESTED PARTIES. HAVE RECEIVED 6 COMMENTS THUS FAR. DEADLINE FOR WRITTEN COMMENTS IS FEBRUARY 17, 2011.

MEL BARR COMMENTED ON THE PROPOSED CHANGES, QUESTIONING THE COSTS OF THE MAP AMENDMENTS. STATED HE BELIEVES THE TOWN LINES ARE FICTIOUS WITH REGARD TO THE TIDAL WETLAND BOUNDARIES, AND ENCOURAGED THE COMMISSION TO INCLUDE A TIME LINE FOR STAFF TO DETERMINE IF A SECOND OPINION IS REQUIRED AND A PERMIT ISSUED.

The February 13, 2012 Special Meeting of the Westport Conservation Commission adjourned at 9:30 p.m.

Motion: Shea

Second: Belzer

Ayes: Shea, Belzer, Field, Porter, Rycenga, Skinner

Nayes: None Abstentions: None Vote: 6:0:0