



**TOWN OF WESTPORT  
CONSERVATION COMMISSION**

TOWN HALL – 110 MYRTLE AVENUE  
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**DRAFT  
MINUTES  
WESTPORT CONSERVATION COMMISSION  
OCTOBER 28, 2020**

The October 28, 2020 Public Hearing of the Westport Conservation Commission was called to order at 7:00 p.m. via Zoom.

**ATTENDANCE**

**Commission Members:**

Anna Rycenga, Chair  
Paul Davis, Vice-Chair  
Tom Carey, Secretary  
Donald Bancroft  
Steve Cowherd, Esq.  
Paul Lobdell

**Staff Members:**

Alicia Mozian, Conservation Department Director  
Colin Kelly, Conservation Analyst  
Susan Voris, Admin. Asst. II

This is to certify that these minutes and resolutions were filed with the Westport Town Clerk within 7 days of the October 28, 2020 Public Hearing of the Westport Conservation Commission pursuant to Section 1-225 of the Freedom of Information Act.

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Alicia Mozian  
Conservation Department Director

**Work Session: 7:00 p.m.**

**1. Receipt of Applications**

Ms. Mozian noted there was one application to be received:

**36 Bonnie Brook Road:** Application #IWW/M-11101-20 by Jim Kousidis, Kousidis Engineering on behalf of Audrey B Rabinowitz to amend wetland boundary map D15.

Motion to receive the application.

<b>Motion:</b>	<b>Carey</b>	<b>Second:</b>	<b>Davis</b>
<b>Ayes:</b>	<b>Carey, Davis, Bancroft, Cowherd, Lobdell, Rycenga</b>		
<b>Nays:</b>	<b>None</b>	<b>Abstentions:</b>	<b>None</b>
			<b>Vote: 6:0:0</b>

**2. Approval of October 14, 2020 Special Meeting minutes.**

The October 14, 2020 Special Meeting minutes were approved as submitted.

<b>Motion:</b>	<b>Lobdell</b>	<b>Second:</b>	<b>Carey</b>
<b>Ayes:</b>	<b>Lobdell, Carey, Bancroft, Cowherd, Davis, Rycenga</b>		
<b>Nays:</b>	<b>None</b>	<b>Abstentions:</b>	<b>None</b>
			<b>Vote: 6:0:0</b>

**3. Review of Compliance Report**

Ms. Rycenga noted the following report by Gillian Carroll, Conservation Compliance Officer sent to the Commission October 22, 2020:

**4 Lakeview Road** – G. Carroll attempted to inspect property due to anonymous complaint pertaining to work being conducted without permits. G.Carroll inspected on 10/14/2020 and discovered from the road, as homeowners were not home during attempted inspection that a patio has been built, small retaining wall and some possible grading performed. NOV sent on 10/19/2020.

**61 Richmondville Avenue** – Previous Violation sent to 61 Richmondville in 2019 for drainage being directed into the Saugatuck River. Inspection by the Engineering Department on 9/8/2020 to removal current violation lead to a discovery of new violations onsite including mortared patio and ramp into the Saugatuck and mortared retaining wall on bank of the river. New Notice of Violation sent on 9/18/2020. Have been in correspondence with contractor and awaiting response from homeowner and contractor on decisions moving forward to meet compliance.

**5 Belaire Drive** – G. Carroll responded to an anonymous complaint of tree removal within the wetlands. Inspection conducted and evidence of 4-5 trees removed and wood chips deposited into the wetlands. The homeowner said a lot of this was due to tree damage threatening his property and tenants. Nonetheless, work was done without permits and adversely impacted the wetlands. G. Carroll sent a NOV on 9/21/2020 requiring a planting plan and removal of the wood chips. A Planting Plan submitted on 10/13/2020 with a variety of trees and shrubs to vary and replace the vegetative canopy coverage. The planting plan was approved, and the plan will be implemented this Fall and Conservation will be contacted for final inspection.

**2 Woodcock Lane – 7/30/20** - Planting Plan submitted by Richard Linsley of Young's at Three Rivers and approved by G. Carroll. Currently open application, AA-WPLE-10989-20, violation will not be removed until all site work is completed, and planting plan has been installed.

**28 Jennings Court- 7/6/2020** – The Conservation Department received an application from Oceanview Pool and Patio for the installation of a spa and to legalize the unpermitted patio and driveway expansion.

**09/09/2020** – Removal of violation sent.



Franco Iannoni presented the application on behalf of the property owner for an inground pool, pool mechanicals, pool fence and associated drainage. There is no patio proposed. The pool mechanicals will be above the base flood elevation.

Ms. Rycenga asked about the pool coping.

Jennifer Strom, property owner, stated it will be 12 to 18 inches.

Mr. Iannone stated it would likely be 18 inches with 30 inches along the side with the autocover.

Ms. Rycenga asked about the type of pool; chlorine or saltwater.

Mr. Iannone stated it would be saltwater. They have discussed revising the pool depth to 5.5 to 6.5 feet at the deep end.

Ms. Rycenga asked about the dewatering plan.

Mr. Iannone stated the calls for a dewatering bag to be placed in the front yard.

Ms. Rycenga asked if one bag will be enough given the height of the groundwater.

Mr. Iannone stated that it should be. If not, they will add another or replace it because they need the hole to be dry in order to pour the pool.

Mr. Lobdell asked what a hydrostatic relief valve is.

Mr. Iannone explained it is a spring-loaded cap to prevent the pool from popping out of the ground in the event of a significant rise in groundwater..

Mr. Lobdell asked what a saltwater pool is.

Mr. Iannone explained what a saltwater pool is.

Ms. Rycenga noted the condition of the private drainage easement and the work needed to maintain the stormwater flow.

Mr. Iannone stated the swale needs to be regraded so it pitches toward the pond. It will need very little change but it must pitch toward the pond.

Ms. Rycenga noted suggested removing the coconut logs on an adjacent property would help in the stormwater flow.

Mr. Iannone noted they would also need to fill in divots.

Mr. Davis asked about the groundwater elevation and whether it fluctuates.

Mr. Iannone stated a test hole was dug and exposed for 30 minutes. The hole did not fill up.

Ms. Rycenga suggested Ms. Carroll as Compliance Officer should contact the owners of 11 Harbor Road to remove the coconut logs.

Ms. Rycenga asked if the wood deck for the mechanicals was going to be extended.

Mr. Iannone indicated that it would likely be replaced.

Ms. Mozian brought up the elevation of the pool depth relative to mean high water. If the depth is 6.5 feet and the average grade is 9 feet. Mean high water is 3.3 feet. They would be 1 foot into the high tide on a daily basis.

Mr. Iannone stated this would make no difference in the integrity of the pool.

Mr. Carey suggested a 5.5 foot pool for ecological reasons.

Mr. Kelly indicated the issue is mostly due to problems during construction. He reviewed the staff report. He noted the fence detail will have to be approved by the Engineering Department so it meets FEMA and Building codes.

Ms. Mozian noted the Flood and Erosion Control Board approved the application on October 7, 2020. With regard to the purpose of the swale and that perhaps with the mini-grading as Mr. Iannone suggested, the neighbors do not have to be involved.

Ms. Strom noted the coconut logs are confining the water not dispersing it.

Ms. Rycenga stated that removing the coconut logs is a suggestion not a requirement.

Ms. Rycenga gave two minutes to allow the public to submit public comments.

With no public comments, the hearing was closed.

<b>Motion:</b>	<b>Carey</b>	<b>Second;</b>	<b>Davis</b>
<b>Ayes:</b>	<b>Carey, Davis, Bancroft, Cowherd, Lobdell, Rycenga</b>		
<b>Nays:</b>	<b>None</b>	<b>Abstentions:</b>	<b>None</b>
		<b>Vote:</b>	<b>6:0:0</b>

**Findings**  
**Application # WPL 11068-20**  
**21 Duck Pond Road**  
**Public Hearing: October 28, 2020**

1. **Application Request:** Applicant is requesting to construct an inground pool, pool mechanicals, pool fence, and associated drainage. Portions of the work are within the WPLO area of the Saugatuck River.
2. **Plans reviewed:**
  - a. "Proposed Pool and Design of Storm Drainage System Prepared for Jennifer Strom Simonte #21 Duck Pond Road Westport, CT", Sheet 1 of 1, Scale: 1" = 20', dated July 30, 2020 and last revised to October 4, 2020, prepared by Ochman Associates, Inc
  - b. "Drainage Report for 21 Duck Pond Road Westport, CT", dated July 30, 2020 last revise to October 4, 2020, prepared by Ochman Associates, Inc
  - c. Building Plans titled "Strom Residence 21 Duck Pond Westport, CT", dated June 17, 2020 Scale: As Noted, prepared by R.I. Pools Inc.
  - d. "Zoning Location Survey of Property Prepared for Jennifer Strom Simonte #21 Duck Pond Road, Westport, Connecticut", dated January 2, 2018 and last revised July 28, 2020, Prepared by Arcamone Land Surveyors LLC
3. **Property Description:**

**Wetlands:** There are no inland wetlands present on this site. The eastern spur of the property contains tidal wetlands.

**Location of 25-year flood boundary:** 9 ft. contour interval. WPLO boundary established 15 landward from the 9 ft. contour.

**Property is located within the C.A.M. boundary.**

**Property is situated in Flood Zones AE (el. 13')** as shown on F.I.R.M. Panel 09001C0532G Map revised to July 8, 2013.

**Proposed Pool Depth:** 5.5ft.

**Proposed Pool Coping Elevation:** 9.4 ft.

Mean High Tide Elevation- 3.34 ft. m.s.l.

**Proposed pool Coverage: 508 Sq. Ft. (392 sq. ft. pool + 112 sq. ft. coping)**

**Proposed Site Coverage: 27.2% (5,859 Sq. Ft.)**

**Existing Site Coverage: 24.9% (5,377 Sq. Ft.)**

**Sewer Line:** The existing residence is serviced by municipal sewer.

4. **Aquifer:** Property is within a groundwater recharge area identified as fine-grained stratified drift. The property is NOT within the Town's wellfield protection zone.
5. **Coastal Area Management:** Property located within CAM zone. The coastal resource identified is coastal hazard area. Coastal hazard areas are defined as those land areas inundated during coastal storm events. A-zones are subject to still-water flooding during "100-year" flood events. Coastal hazard areas serve as flood storage areas. They are, by their nature, hazardous areas for structural development, especially residential-type uses.
6. **Proposed Storm Water Treatment:** Onsite storage of the water quality volume (first inch of rainfall) from stormwater is proposed to be stored within the proposed drainage system. To meet the Town of Westport Drainage Standards, the stormwater runoff overflow from the pool will be collected and directed to two 18" high H-20 concrete galleries. The base elevation of the galleries will be set at 6.0' and the stone underlayment will extend to 5.75'. The system will have an overflow grate located to the east.

Additionally, the pool will have no patio associated with its construction; the area will be maintained as lawn.

7. **Grading:** The grades in the vicinity of the south and east of the pool will be altered to accommodate the pool. This grade merges with the gentle slope of the yard.

The Commission should note the plans include a note:

- a. *Low-point in existing drainage easement produces ponding of water as runoff from adjacent properties and subject property converge. Regrade surface drainage easement to convey overland flow across property & down to Duck Pond. Regrading shall be performed by hand with no machines. Minimal grading of 6"± should achieve drainage flow to Duck Pond. Once grading performed it shall be seeded and mulched for stabilization.*

This is within an area identified as: "as Per Map #6459 W.L.R. 10' Surface Drainage Easement" recorded on the Westport Land Records. The Language on Map #6459 pertaining to the swale states:

- b. *A swale for the runoff of surface drainage is to be maintained along the rear five feet of lots 35A, 36, 39, 40 & 41 sloping toward "Duck Pond"*

8. **Previous Permits issued:**  
#WPL/E-10574-18: Addition to the second and third floor of residence.
9. **The Flood and Erosion Control Board** approved the application with conditions on **October 7, 2020**. The drainage proposal is acceptable to the Engineering Department.
10. **Westport Weston Health District** approved construction on **September 1, 2020**
11. **Discussion:** The WPL Ordinance requires that the Conservation Commission consider the following when reviewing an application:
  - a. " 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.”

The Commission finds that the site currently contains a residence constructed in 1977. Most of the property lies within the WPLO boundary. The application proposes to construct a 14' x 28' pool, associated grading, and drainage. The pool coping will be set at elevation 9.4' and will be **5.5'** deep.

The Commission finds that the application site plan shows installation of a silt fence around the worksite. A small stockpile area is depicted on the plan within the silt fence. Some soil will be needed to adjust the grades as proposed but most of the excess soil should be direct loaded and taken offsite. Access to the pool area will be through the asphalt driveway. A dewatering plan is indicated on the plan which locates the discharge in a dewatering bag located in the front yard.

The Commission finds that the sediment erosion controls may be adequate during construction. However, an additional anti-mud tracking pad or additional dewatering appurtenances may be required if they prove ineffective for that purpose. Mean high water elevation is 3.34' m.s.l. The test pit data indicates that groundwater is at ~42" below grade (elevation ~5.0'). The bottom of the pool excavation will be elevation ~3.9' (pool coping elevation 9.4' – 5.5' deep pool). The Commission finds that encountering groundwater should be a major concern within the excavation. The contractor should be prepared to manage dewatering discharge in excess of what has already been provided. The Commission finds that there is chance of the discharge water overwhelming the soils in the front yard and continuing the flow onto Duck Pond Road. A catch basin is located in the street approximately 125' to the north of the property and another is located approximately 175 to the south. The Town GIS indicates that the property lies at a relative high spot with possible water flow to either direction. The Commission finds that a site meeting with the contractor shall be coordinated with Staff during excavation. This will help to address dewatering concerns or uncontrolled sediment movement from the site. The Commission finds that the dewatering activities should be limited to periods of low tide. The Commission finds that the pool depth shall be no deeper than 6.0' to minimize concerns stemming from interception of groundwater.

The site plan notes the location of the proposed pool mechanicals along the northern side of the residence. The Commission finds that they are proposed to be above B.F.E. 13' at 14.0' on a deck structure. The pool fence is indicated on the plans. The fence, as proposed, should also meet the FEMA recommendations if it is placed in areas that are below B.F.E. 13.0'. The Commission finds that the fence design shall be approved by the Engineering Department prior to installation.

The potential for the proposed project to have an adverse impact on the preservation of natural resources and the ecosystem of the adjacent waterways should focus on stormwater quality impacts and percentage of impervious area. The total impervious coverage, as depicted on the proposed survey, is currently **24.9% (5,377 Sq. Ft.)**. Proposed site coverage with the pool is to be **27.2% (5,859 Sq. Ft.)** which is in the above the threshold of the 10-25% impervious coverage that will impact water quality. Please note, these numbers only include the asphalt portion of the driveway. They do not include the gravel portion of the driveway from Duck Pond Road proper. Including this portion of the driveway would further increase the coverage calculations noted above. The Commission finds that the rear yard is bordered by mature vegetation including trees and evergreen shrub/hedge lines. This existing vegetation will allow for some pollutant or nutrient uptake from stormwater runoff. No vegetation, other than noted below is noted for removal. Care should be taken to protect this vegetation, including their root zone, during construction.

The Commission finds that the proposal to “regrade the surface drainage easement to convey overland flow across property and down to Duck Pond.” The Commission supports the owner in their efforts to maintain the flow through this easement area. The Commission finds that the Conservation Department shall contact the adjacent homeowners to the south of the property, which shares the easement (properties #9 Harbor Road and #11 Harbor Road) and inform them

of the maintenance prior to starting work. The Commission finds that the site engineer shall oversee the proposed work to ensure it is done properly and submit a notice of completion to the Conservation Department.

**Conservation Commission**  
TOWN OF WESTPORT  
**Conditions of Approval**  
**Application # WPL 11068-20**  
**Street Address: 21 Duck Pond Road**  
**Assessor's: Map A03 Lot 025**  
**Date of Resolution: October 28, 2020**

**Project Description:** To construct an inground pool, pool mechanicals, pool fence, and associated drainage. Portions of the work are within the WPLO area of the Saugatuck River.

**Owner of Record:** Jennifer Strom

**Applicant:** Franco Iannone, R.I. Pools Inc.

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-11068-20** with the following conditions:

**STANDARD CONDITIONS OF APPROVAL**

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. 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.
13. A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.
14. Conformance to the conditions of the Flood and Erosion Control Board of October 4, 2020.



15. Conformance to the previously adopted "Standard Pool Conditions" for pools located near wetlands or watercourses as applicable and as enumerated below:
  - a. The pool is to be serviced by a diatomaceous earth, sand/cartridge or some other kind of re-circulating, closed filter system.
  - b. Pool chemicals should be stored in an enclosed container in an enclosed area preferably above the 100 year flood elevation. Pool equipment should be located at or above the 100 year flood elevation.
  - c. When pools are proposed in an area that abuts a waterway or wetland, a vegetated buffer should be maintained between the pool and the waterway or wetland.
  - d. Alternative use of chlorine for sanitation should be sought from the pool company. These include: salt chlorine generators, ozonators, ionizers, or mineral purifiers.
  - e. Pools should be covered over the winter or when they will not be in use for long periods of time, i.e three (3) or more months.
  - f. When discharging pool water at the end of the season for winterization, no direct discharge to a watercourse or wetland is allowed; a 50ft separating distance with some kind of energy dissipation at end of hose is required.
  - g. The pool water to be discharged shall have a pH between 6.5 and 8.5. The chlorine level shall be less than 0.1 mg/l and not cause foaming or discoloration of the receiving waters.

#### **SPECIAL CONDITIONS OF APPROVAL**

16. Conformance to the plans entitled:
  - a. "Proposed Pool and Design of Storm Drainage System Prepared for Jennifer Strom Simonte #21 Duck Pond Road Westport, CT", Sheet 1 of 1, Scale: 1" = 20', dated July 30, 2020 and last revised to October 4, 2020, prepared by Ochman Associates, Inc
  - b. "Drainage Report for 21 Duck Pond Road Westport, CT", dated July 30, 2020 last revised to October 4, 2020, prepared by Ochman Associates, Inc
  - c. Building Plans titled "Strom Residence 21 Duck Pond Westport, CT", dated June 17, 2020 Scale: As Noted, prepared by R.I. Pools Inc.
  - d. "Zoning Location Survey of Property Prepared for Jennifer Strom Simonte #21 Duck Pond Road, Westport, Connecticut", dated January 2, 2018 and last revised July 28, 2020, Prepared by Arcamone Land Surveyors LLC
17. A revised "Building Plan" shall be submitted showing the accurate pool detail and depth prior to issuance of a Zoning Permit. The pool depth shall not exceed 5.5 feet.
18. Survey to be amended to indicate accurate building and total coverage calculations prior to the issuance of a Zoning Permit.
19. The fence design shall be approved by the Engineering Department prior to issuance of a Zoning Permit.
20. The Conservation Department must be contacted 48 hours prior to start of construction in order to inspect erosion controls. Silt fencing shall be installed to protect mature vegetation, including the root zone, during construction.
21. A site meeting shall be scheduled with the contractor during excavation. Staff will direct any dewatering needs or address uncontrolled sediment movement from the site. Excavation for the pool should be limited to time of low tide to minimize the need for dewatering.
22. Conservation Department staff shall contact the adjacent homeowners of properties #9 Harbor Road and #11 Harbor Road and inform them of the manual easement maintenance prior to starting work.
23. The site engineer shall oversee the proposed drainage easement work and shall submit a notice of completion to the Conservation Department prior to the issuance of a Conservation Certificate of Compliance. Any grading work within the Drainage Easement shall be done by hand.
24. Pool mechanicals shall be located above Base Flood Elevation and confirmation required of 5.5 foot pool depth prior to obtaining a Conservation Certificate of Compliance.
25. Any excess fill to be removed from the site. No changes to grade allowed other than what is proposed by this plan.

**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: Lobdell    Second: Davis**  
**Ayes: Lobdell, Davis, Rycenga, Carey, Bancroft, Cowherd**  
**Nays: 0    Abstentions: 0    Vote: 6:0:0**

2. **59 Red Coat Road:** Application #IWW-11085-20 by Pete Romano of LandTech on behalf of Kevin M Dorsey for new single family residence, pool, patio, driveway, septic and associated drainage. Portions of the work are within the upland review area setbacks.

Atty. Cowherd recused himself from the hearing as a colleague from his firm was joining the meeting representing an interested party.

Pete Romano of LandTech presented the application on behalf of the property owner. He noted a wetland boundary revision was approved at the July meeting. This property is a legal building lot. He reviewed the plan that was submitted. Since the plan was submitted, Ms. Mozian and the Engineering Department have submitted comments but revised plans have not been submitted yet. The house would have a 2,200 s.f. footprint; 1,700 s.f. for the house and 450 s.f. for garage. There is a pool proposed. There are few alternatives that would eliminate encroachment into the upland review area. He stated that based on Ms. Mozian's concerns of high groundwater, they hired WSB in Shelton to evaluate the hydrology and Kevin Chamberlain from DeStefano Associates for structural engineering concerns. They have not received Health Department approval as yet. This is due to when the lot line changes were approved, the Health Department had not reviewed this change and now they are reviewing it along with the proposed septic design. Mr. Romano stated the Engineering concerns have been addressed. The basement will only be into the groundwater by 2 feet. He has also asked Steve Smith, Building Official, for his comments to see if he could approve the design. Mr. Romano appealed to the Commission to consider not hiring an outside expert based on the fact that he has hired well known experts to aid in the review until such time as the Commission have had a chance to review their reports.

Ms. Rycenga noted and reviewed Section 9.1.6 of the IWW regulations, which gives the Conservation Commission or Conservation Director the authorization to hire an outside expert to aid in the hiring of an outside expert. She added because this is a challenging lot, she believes the Commission needs the aid of an expert to assist in the review. She indicated she would like to review the WSB report. She continued Section 9.7 of the IWW regulations noted that if a proposal may pose a significant impact, then feasible and prudent alternatives must be reviewed.

Mr. Davis asked when Mr. Romano expects Health Department approval.

Mr. Romano indicated he expects Health approval next week. He also acknowledged that the Commission does have right to ask for outside expert.

Mr. Bancroft noted Septic Notes #12 appears to be wrong. The Map and Notes show different chamber pipes.

Mr. Romano clarified there are two different pipes. One is from the pump and one is out of the house.

Mr. Bancroft asked when the Septic Reserve Area is needed.

Mr. Romano stated a B100A area is required to show that there is an area available in case the septic fields fail. It does not need to be built but must be available.

Mr. Lobdell had questions concerning the septic design.

Mr. Romano stated they will be using a pump system to pump uphill to the tank then to the leaching field. They will be using a Mantis system. The Mantis system also introduces air into the system.

Mr. Lobdell asked if the leaching water will drain back towards the wetlands.

Mr. Romano noted there will be a 50-foot separating distance. The soils are good for the septic system to do its job. Water movement will be toward the wetland but it will be clean by the time it moves to the wetland.

Ms. Mozian asked if there is public water in the street.

Kevin Dorsey, property owner, stated there is.

Ms. Mozian asked about what happens if there is a power failure, do they plan on having an alarm or a generator for the septic pump.

Mr. Carey stated he would defer his questions until the Commission has more information in the record. He agreed that an outside consultant is needed. He added he is concerned with high groundwater.

Ms. Rycenga asked how many trees would have to be removed as part of this project.

Mr. Romano stated this needs to be determined.

Ms. Rycenga asked about the heat source.

Mr. Romano stated it would be oil or propane.

Mr. Dorsey stated that natural gas is in the neighborhood.

Ms. Rycenga asked about the pool detail.

Mr. Romano stated he is not sure of the pool depth. They would propose a pervious patio. This would not be a final site plan. It is just a representation of what someone could build.

Ms. Rycenga asked why test holes were not done in the vicinity of the pool.

Mr. Romano stated there was no reason.

Mr. Kelly noted that the Engineering Department is requiring additional test pits be done.

Ms. Rycenga noted that all Commissioners seem to be in agreement that an outside expert is needed.

Mr. Bancroft noted test pit #3 and the difference in the groundwater between this one and the other test pits.

Mr. Romano noted that mottling was noted at 10 inches and groundwater was found at 102 inches at the time it was observed. A basement could be placed in the worst case scenario.

Mr. Kelly reviewed the soils description of sand, medium sand and silt. He added that if the test pit had been open longer the groundwater elevation may have been different.

Ms. Mozian asked about the safeguards for the septic system since it has a pump system. Will it have a generator or alarm. She stated she was proactive in getting an outside consultant. She solicited 5 bids. 3 did not submit a bid and of the remaining two, Triton Environmental was the least expensive.

There is concern with high groundwater. Basement and floor plans have been submitted. They show a 10 foot basement. Test pits show groundwater at 10 inches to 2 feet on average; therefore, groundwater is a major concern and reason why she thought expert testimony was needed. The Commission seems to support that.

Ms. Rycenga gave three minutes for public comments to be submitted.

Mr. Kelly read e-mail letter from Betsy Green of 3 Larch Tree Lane received October 27, 2020 into the record.

Ms. Mozian noted the GIS map attached does not show the revised wetland boundary.

Ms. Rycenga stated Ms. Green should refer to the August 12, 2020 stormwater report and perhaps secure an expert.

There was no further public comment.

Mr. Romano stated he will get additional information into the Commission to give to the consultants.

Ms. Rycenga reviewed Section 5.0 and 9.1.6 of the IWW regulations.

Motion to retain an outside consultant to aid in the review of the application.

**Motion: Carey Second: Lobdell**  
**Ayes: Carey, Lobdell, Bancroft, Davis, Rycenga**  
**Nayes: None Abstentions: None Vote: 5:0:0**

Ms. Rycenga asked for a motion to ask for feasible and prudent alternatives to be considered.

Mr. Romano stated they are prepared to submit alternatives.

Mr. Bancroft indicated that he needs more test pit data. He noted alternatives would be no pool or a shallower basement.

Ms. Rycenga made a motion to require feasible and prudent alternatives.

It was the sense of the other Commission members that they were not ready to make that determination.

Motion to continue the hearing to the November 18, 2020 Public Hearing.

**Motion: Rycenga Second: Carey**  
**Ayes: Rycenga, Carey, Bancroft, Davis, Lobdell**  
**Nayes: None Abstentions: None Vote: 5:0:0**

The October 28, 2020 Special Meeting of the Westport Conservation Commission adjourned at 9:32 p.m.

**Motion: Rycenga Second: Lobdell**  
**Ayes: Rycenga, Lobdell, Bancroft, Carey, Davis**  
**Nayes: None Abstentions: None Vote: 5:0:0**