

**DRAFT  
MINUTES  
WESTPORT CONSERVATION COMMISSION  
NOVEMBER 14, 2012**

The November 14, 2012 of the Westport Conservation Commission was called to order at 7:00 p.m. in the Auditorium of the Westport Town Hall.

**ATTENDANCE**

**Commission Members:**

Pat Shea, Esq., Acting Chair  
W. Fergus Porter  
Jeffress Gouverneur, Sergeant at Arms  
Kathy Belzer  
Ralph Field, Alternate  
Anna Rycenga  
John Skinner, 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 November 14, 2012 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

**I. Public Meeting: 7:00 pm, Room 201/201A,**

Canal St (Map C11/Lot 050) and Weston Rd. (Map C16, Lot 14): Presentation by Michael Hiltz of the Aquarion Water Co. regarding proposed improvements to its wellfield facilities.

Michael Hiltz, Senior Engineer, with Aquarion Water Company and Dr. John McClellan Principle Engineer & design consultant, with Tighe & Bond were present to discuss the project.

Mr. Hiltz stated Aquarion Water Co. is exempt from the Inland Wetland & Watercourses regulations oversight but noted they often seek comments from local Planning & Zoning and Inland Wetland agencies. He stated upgrades are being made to both water treatment facilities to create safer facilities for their employees and to reduce the risk from chemical spills and discharges into the environment. Chlorine gas is used at both facilities for disinfection. He indicated that Aquarion draws raw water from these wellfields, so it is in the company's best interest to protect the environment. This is the objective of the project.

Dr. McClellan presented each project. The Coleytown wellfield on Weston Road is a faux colonial house which houses the chemical feed equipment and electrical equipment. The project is a complete gutting of the building with new equipment. They are proposing new tanks, a secondary containment for chemicals, pumping equipment and controls. The site work includes a new exterior containment area including a concrete slab with a catchbasin. The valve in the catchbasin will direct or prevent flow into the basin and spill into a separate tank. When there are no deliveries, the valve is switched and the catchbasin acts as discharge to the wetlands. The chlorine gas is being substituted with sodium hypochlorite, sodium hydroxide, and zinc orthophosphate. All chemicals are liquids and all will be stored in tanks with a 30 day supply on-site.

Mr. Field asked how frequently deliveries would be made.

Mr. Hiltz stated the deliveries would be made about once a month. All operations are run remotely except during deliveries. Local operators may be on the site only once or twice a week as needed.

Ms. Rycenga asked what happens if there is a spill and how would it be addressed.

Dr. McClellan stated the tight tank is sized to handle 6,000 gallons; the size of the largest chemical tank. When there is a delivery, the valve is closed off by staff. If there is a spill, a LEP is called in for clean up. The tank would be cleaned out and the lines flushed out.

Mr. Hiltz stated that if it is a small spill, the operators are trained to clean it up.

Dr. McClellan stated the Canal Street project already has an exterior containment area in place. Most of the work for this project will be done to the interior rehabilitation of the building. There will be a new concrete slab floor, boarding up the windows, add bulk storage for the chemicals and new electrical and computer systems. The site work is mostly the repaving, expanding and relocating closer to the building of the gravel driveway exit for the delivery trucks. He noted the original facilities were built in the 1950's.

Ms. Shea asked which facility has the most activity.

Mr. Hiltz stated that both facilities are seasonal; Memorial Day to Columbus Day and the deliveries are a lot less. He noted the existing gravel driveway would be replaced with lawn and then a "no mow zone" would be established between the existing riparian buffer and the new driveway.

Ms. Rycenga asked how the existing chemical tanks are going to be removed.

Dr. McClellan stated LEP removed the contents and the general contractor disposes of them. This is all done in the same day.

Motion to confirm proposed work is a permitted use as defined in Section 4.1(e) of the *Regulations for the Protection and Preservation of Inland Wetlands and Watercourses* and for staff to issue a written verification.

**Motion:**       **Shea**                               **Second:**       **Belzer**  
**Ayes:**       **Shea, Belzer, Field, Gouverneur, Porter, Rycenga, Skinner**  
**Nayes:**       **None**                               **Abstentions:**   **None**                               **Vote:**   **7:0:0**

Motion to close the Public Meeting and move into the Public Hearing.

**Motion:**       **Rycenga**                               **Second:**       **Gouverneur**  
**Ayes:**       **Rycenga, Gouverneur, Belzer, Field, Porter, Shea, Skinner**  
**Nayes:**       **None**                               **Abstentions:**   **None**                               **Vote:**   **7:0:0**

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

- 1. 11 Boxwood Lane:** Application #IWW/M-9207-12 by Iraida Dizer to amend wetland boundary map #G14.

Iraida Dizer presented the application to amend wetland boundary map #G14. She stated she wants to sell her property or possibly improve it and wanted an accurate wetland line and survey.

Ms. Krynicki presented the staff comments. Bill Kenny was the soil scientist for the applicant. Tom Pietras was the soil scientist retained by the town. Both soil scientists agree on the new flagged wetland boundary. She noted an on-site investigation also reveals the likelihood of the presence of a vernal pool that needs further investigation prior to the issuance of future building permits. She stated the investigation would need to take place in the spring, if possible.

Ms. Dizer gave staff permission to visit the site in the spring to investigate for the presence of a vernal pool.

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

**Motion:**       **Gouverneur**                               **Second:**       **Skinner**  
**Ayes:**       **Gouverneur, Skinner, Belzer, Field, Porter, Rycenga, Shea**  
**Nayes:**       **None**                               **Abstentions:**   **None**                               **Vote:**   **7:0:0**

### **Findings Application #IWW/M 9207-12 11 Boxwood Lane**

- 1. Application Request:** The applicant is requesting to amend wetland map #G-14.
- 2. Permits issued for this Property:** No previous permits have been issued for this property
- 3. Soil Scientist for Applicant:** William Kenny of William Kenny Associates LLC
- 4. Soil Scientist for Town of Westport:** Thomas Pietras of Soil Science and Environmental Services, Inc.
- 5. Plan reviewed:** "Limited Location Survey, Map of Property prepared for Iraida Dizer, 11 Boxwood Lane, Westport, Connecticut", Scale: 1"=30', dated September 14, 2012 and last revised to November 7, 2012, prepared by Walter H. Skidd- Land Surveyor LLC
- 6. Wetlands Description**  
Soil Report Summary- prepared by Bill Kenny dated July 25, 2012 describes the following wetland soil occurring on the property:

**Ridgebury Leicester Whitman (3):**

This unit consists of poorly drained and very poorly drained soils found in depressions and drainage ways on uplands and in valleys. Stones and boulders cover 5 percent to 35 percent of the surface. This unit consists of three soil types mapped together because they have no major differences in use and management. The soils have a seasonal high watertable at or near the surface from fall to spring. The permeability of Ridgebury and Whitman soils is moderate or moderately rapid in the surface layer and subsoil and slow or very slow in the substratum. The permeability of the Leicester soils is moderate or moderately rapid throughout. Available water capacity is moderate in all three soils. Runoff is slow on all three, and water is ponded on the surface of some areas of the Whitman soils. The high water table, ponding, and the stones and boulders on the surface limit these soils for community development. Excavations are commonly filled with water. Quickly establishing plant cover and using siltation basins help to control erosion and sedimentation during construction.

Mr. Kenny describes the non-wetland soils by the following:

**Sutton very stony fine sandy loam (51):**

This gently moderately well drained soil is in slight depression and on the sides of hills and ridges. Stones and boulders cover 1 to 5 percent of the surface. The areas are irregularly shaped and mostly range from 4 to 30 acres. Included with this soil in mapping are small areas of well drained Charlton and Paxton soils, moderately well drained Woodbridge soils and poorly drained Leicester and Ridgebury soils.

This Sutton soil has a seasonal high water table at a depth of about 20 inches from late fall until midspring. The permeability of the soil is moderate or moderately rapid. Runoff is medium, and available water capacity is moderate. The hazard of erosion is moderate. The seasonal high water table and the stones and boulders on the surface limit community development. Onsite septic systems require special design and installation because of the seasonal high water table. Footing drains help prevent wet basements. Quickly establishing plant cover, mulching and using siltation basins and diversions help control erosion and sedimentation during construction.

**Canton and Charlton fine sandy loam (60):**

This soil unit consists of sloping, well drained soil found on hills and ridges. Permeability is moderate or moderately rapid. Runoff is rapid, and available water capacity is moderate. Most areas have been cleared. A few areas are used for community development. Slope is the main limitation of this soil for community development, especially in areas for onsite septic systems. Such systems need careful design and installation to prevent effluent from seeping to the surface. Quickly establishing plant cover, mulching, and using siltation basins and diversions help to control erosion and sedimentation during construction.

**Udorthents, smoothed (308):** This unit consists of areas that have been altered by cutting or filling. The areas are commonly rectangular and mostly range from 5 to 100 acres. Slopes are mainly 0 to 25 percent. The materials in these areas are mostly loamy, and in the filled areas it is more than 20 inches thick. Some of the filled areas are on floodplains, in tidal marshes, and on areas of poorly drained and very poorly drained soils. Included in this unit in mapping are small areas of soils that have not been cut or filled. Also included are a few larger urbanized areas and a few small areas containing material such as logs, tree stumps, concrete, and industrial waste. A few areas have exposed bedrock. Included areas make up about 30 percent of this map unit. The properties and characteristic of this unit are variable, and the unit requires on-site soil investigation and evaluation for most uses.

**7. Property Description and Facts Relative to the Map Amendment Application:**

- The property currently supports a 3 bedroom residence built in 1948 serviced by a septic system and a well.
- The Westport Wetlands Inventory, prepared by Flaherty Giavara Associates, P.C., dated June 1983 describes this wetland as a streamside, floodplain with a wooded swamp and open lawn. The wetland area has been mostly cleared and developed.
- Landscape position of this parcel is a backslope and land surface shape is linear/linear.
- The property is not located within a flood zone.

- Property does not exist within the Aquifer Protection Overlay Zone nor a groundwater recharge area.
  - Property does not exist within the Coastal Areas Management Zone.
  - The Waterway Protection Line Boundary is located 15' from the 25 year flood boundary elevation of New Creek.
8. The Town of Westport retained the services of Tom Pietras of Soil and Environmental Services, Inc. to review the proposed wetland boundary as flagged by Mr. Kenny. After an investigation conducted in the field both soil scientists agreed to a wetland boundary which has been shown on a survey revised to November 7, 2012. The Conservation Department has received written confirmation from Tom Pietras dated November 8, 2012 attesting to the agreed upon line.

N.B. On-site investigation also revealed the likely presence of a vernal pool. Future site improvements will require further investigation by a qualified professional for determination.

**RESOLUTION**  
**Application #IWW/M 9207-12**  
**11 Boxwood Lane**

In accordance with Section 8.0 of the Regulations for the Protection and Preservation of wetlands and Watercourses of Westport, and on the basis of the evidence of record, the Conservation Commission resolves to **APPROVE** Application **#IWW/M 9207-12** by Iraida Dizer to amend wetland boundary map G-14 on the property located at 11 Boxwood Lane with the following conditions:

1. Conformance to the plan entitled "Limited Location Survey, Map of Property prepared for Iraida Dizer, 11 Boxwood Lane, Westport, Connecticut", Scale: 1"=30', dated September 14, 2012 and last revised to November 7, 2012, prepared by Walter H. Skidd- Land Surveyor LLC
2. An electronic file of the above referenced plan in a format acceptable to The Town Engineer must be submitted to the Conservation Department before permits for any further activity will be authorized.

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.

**Motion:** Rycenga                                 **Second:** Porter  
**Ayes:** Rycenga, Porter, Shea, Belzer, Skinner, Gouverneur, Field  
**Nays:** 0   **Abstentions:** 0                                 **Vote:** 7:0:0

2. **91 Clapboard Hill Road:** Application #IWW/M-9214-12 by Richard E & Bonny S Radez to amend wetland boundary map #H8.

Ms. Krynicki presented the application to amend wetland boundary map #H8 on behalf of the property owner, who gave her permission to present the application. Otto Theall was the soil scientist for the applicant. Tom Pietras was the soil scientist retained by the town. Both agreed on the newly flagged wetland boundary. She stated the "stream" noted on the survey is actually an intermittent watercourse as determined by Tom Pietras.

With no comment from the public, the hearing was closed.

**Motion:** Shea   **Second:** Gouverneur  
**Ayes:** Shea, Gouverneur, Belzer, Field, Porter, Rycenga, Skinner  
**Nays:** None   **Abstentions:** None                                 **Vote:** 7:0:0

**Findings**  
**Application #IWW/M 9214-12**  
**91 Clapboard Hill Road**

1. **Application Request:** The applicant is requesting to amend wetland map #H-8.
2. **Permits issued for this Property:** No previous permits have been issued for this property
3. **Soil Scientist for Applicant:** Otto Theall of Soil & Wetland Science, LLC
4. **Soil Scientist for Town of Westport:** Thomas Pietras of Soil Science and Environmental Services, Inc.
5. **Plan reviewed:** "Zoning/ Location Survey Map of Property prepared for Richard Radez and Bonny Radez, 91 Clapboard Hill Road, Westport, Connecticut", Scale: 1"=30', dated November 18, 2011, prepared by Walter H. Skidd- Land Surveyor LLC
6. **Wetlands Description**  
Soil Report Summary- prepared by Otto Theall dated November 16, 2011 describes the following wetland soil occurring on the property:

**Raypol silt loam (12):** This nearly level, poorly drained soil occurs in depressions on plains and terraces.

This soil has a surface layer of black silt loam 6 inches thick. The subsoil is grayish brown and light grayish brown, mottled silt loam and very fine sandy loam 13 inches thick. The substratum extends to a depth of 60 inches or more. It is 3 inches of brown mottled loam sand underlaid by mottled sand. This soil has a seasonal high water table at a depth of about 6 inches from fall until late spring. The permeability of the soil is moderate in the surface layer and subsoil and rapid or very rapid in the substratum. Runoff is slow and available water capacity is moderate.

Mr. Theall describes the non-wetland soils by the following:

**Agawam fine sandy loam (29):** This component is on outwash plains on valleys, terraces on valleys. The parent material consists of coarse-loamy eolian deposits over sandy and gravelly glaciofluvial deposits derived from granite and/or schist and/or gneiss. The natural drainage class is well drained. The soil is not flooded or ponded. There is no zone of water saturation within a depth of 72 inches.

**Ninigret and Tisbury (21):** This component is on terraces on valleys, outwash plains on valleys. The parent material consists of coarse-loamy eolian deposits over sandy and gravelly glaciofluvial deposits derived from granite and/or schist and/or gneiss. This soil is not flooded or ponded. A seasonal zone of water saturation is at 24 inches during the wet season. This soil does not meet hydric criteria.

**Udorthents, smoothed (308):** This unit consists of areas that have been altered by cutting or filling. The areas are commonly rectangular and mostly range from 5 to 100 acres. Slopes are mainly 0 to 25 percent. The materials in these areas are mostly loamy, and in the filled areas it is more than 20 inches thick. Some of the filled areas are on floodplains, in tidal marshes, and on areas of poorly drained and very poorly drained soils. Included in this unit in mapping are small areas of soils that have not been cut or filled. Also included are a few larger urbanized areas and a few small areas containing material such as logs, tree stumps, concrete, and industrial waste. A few areas have exposed bedrock. Included areas make up about 30 percent of this map unit. The properties and characteristic of this unit are variable, and the unit requires on-site soil investigation and evaluation for most uses.

7. **Property Description and Facts Relative to the Map Amendment Application:**
  - The property currently supports a 5 bedroom residence built in 1900 and remodeled in 1960 buildings serviced by a septic system and municipal water.
  - The Westport Wetlands Inventory, prepared by Flaherty Giavara Associates, P.C., dated June 1983 describes this wetland as an "intermittent streamside, floodplain with a wooded swamp and open lawn. The wetland area has been mostly cleared and developed.
  - Landscape position of this parcel is a backslope and land surface shape is linear/linear.
  - The property is not located within a flood zone.

- Property does not exist within the Aquifer Protection Overlay Zone nor a groundwater recharge area.
  - Property does not exist within the Coastal Areas Management Zone.
  - The Waterway Protection Line Boundary is located 15' from the 25 year flood boundary elevation of New Creek.
8. The Town of Westport retained the services of Tom Pietras of Soil and Environmental Services, Inc. to review the proposed wetland boundary. In a letter dated November 1, 2012, Mr. Pietras states the wetland as flagged by Otto Theall is correct. He recommends the stream notation on the survey be changed to the term "intermittent watercourse".

**RESOLUTION**  
**Application #IWW/M 9214-12**  
**91 Clapboard Hill Road**

In accordance with Section 8.0 of the Regulations for the Protection and Preservation of wetlands and Watercourses of Westport, and on the basis of the evidence of record, the Conservation Commission resolves to **APPROVE** Application #IWW/M 9214-12 by Richard E. and Bonny S. Radez to amend wetland boundary map H-8 on the property located at 91 Clapboard Hill Road with the following conditions:

1. Conformance to the plan entitled "Zoning/ Location Survey Map of Property prepared for Richard Radez and Bonny Radez, 91 Clapboard Hill Road, Westport, Connecticut", Scale: 1"=30', dated November 18, 2011, prepared by Walter H. Skidd- Land Surveyor LLC
2. An electronic file in a format acceptable to the Town Engineer should accompany the paper record.

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.

<b>Motion:</b>	Belzer	<b>Second:</b>	Field
<b>Ayes:</b>	Belzer, Rycenga, Shea, Skinner, Gouverneur, Porter, Field		
<b>Nays:</b>	0	<b>Abstentions:</b>	0
		<b>Vote:</b>	7:0:0

3. **48 Owenoke Park:** Application #WPL-9219-12 by Wilson L & David B McKane to install an 8' by 8' float, a 25' by 3' ramp with a 4' by 10' fixed pier. Work is within the 25 year floodplain and the WPLO area of the Saugatuck River.

Ms. Mozian stated this application was postponed to the December 12, 2012 Public Hearing.

4. **59 Post Road East (#2) and 35 Church Lane (#1):** Application #WPL-9218-12 by Karen Johnson, AICP for Bedford Square Associates, LLC on behalf of the YMCA of Westport/Weston CT, Inc. and Bedford Square Associates, LLC for redevelopment of the properties to include the repurposing of historical portions of 59 Post Road East, demolitions of portions of the non-historic additions of 59 Post Road East, removal of wood frame structures on 35 Church Lane and the construction of below-grade parking, the replacement and addition to 59 Post Road East and new construction on 35 Church Lane with associated site improvements including utilities, drainage, grading, streetscape and landscaping. Portions of the work are within the WPLO area of the Saugatuck River.

Karen Johnson presented the application, which includes the removal of the non-historic addition on Church Lane and the wood structures on the Gunn property located on the corner of Church Lane and Elm Street and to renovate the existing Y building including the old firehouse. The reconstruction includes a new structure in place of the Weekes Pavilion on Church Lane and three smaller structures on the Gunn property. Also proposed is a below-grade parking lot with an entrance on Elm Street with a below-grade connection to the existing building. She noted the WPLO is 15-feet from the 25-year flood elevation, which is 9' msl. She noted the Flood and Erosion Control Board's November

7, 2012 meeting was rescheduled to December 5, 2012. She stated at the December 12, 2012 Conservation Commission meeting, they plan on responding to the concerns raised in the staff report.

Kyle Bogardis of Langan Engineering stated the project is 275 feet from the Saugatuck River. He reviewed the elevations along Main Street and Church Lane to orient the Commission with the topography of the area. The portion of the project located within the WPLO is currently developed and he noted that 15% of the project is located at elevation 9 msl or below and 25% is within the WPLO area. The 100 year flood elevation is at 10 msl but noted the FIRM map has it in a different location. He stated they are using elevation 10 rather than the FIRM line in the design. He noted that Hurricane Sandy was a 100-year storm. They will be floodproofing to elevation 12 msl. He stated there are two different types of floodproofing; passive, which is always there and active, which you have to physically install. The active types of floodproofing include panels in front of the doors and windows. He stated the building is being designed for 2 feet of freeboard.

Mr. Bogardis discussed the sediment and erosion controls noting this is a 1.5 acre site in an urban setting. He stated it is a very limited area work space and indicated they would be using construction fencing around the perimeter and staked hay bales. He indicated he does anticipate limited soil migration but noted they will have filter fabric at all catchbasins with 2-foot sumps in the catchbasins. Limit of disturbance is right up to the property line. He stated a lot of the work in the WPLO is in the DOT right-of-way as they will be extending the curbing at the intersection of Main Street and Post Road East.

Ms. Mozian asked what happens with the excavated materials for construction of the underground parking garage.

Mr. Bogardis stated there will be limited stockpiling capabilities on-site. Dump trucks will come, be filled up by an excavator and moved to an off-site location. Logistics are being worked out but would include staging at an off-site lot, the queuing of the dump trucks, the dump truck comes forward, gets filled, they call ahead, the next dump truck comes forward in an orchestrated approach to remove the excavated materials. With reference to the stockpiling of construction material, Mr. Bogardis stated not much more than a day's worth of material would be brought in each day in the beginning.

Ms. Belzer asked about the native soil.

Mr. Bogardis stated the geo-technical investigation determined sandy gravel. It is favorable for sediment and erosion controls. The depth to groundwater is 0 to 3 feet msl.

Ms. Shea expressed concerns with water in the underground parking.

Mr. Bogardis noted the finished floor of the garage is at elevation 0 msl, which is about 10 feet below ground.

Mr. Field asked about the relationship between the tidal activity and groundwater.

Mr. Bogardis stated there is a relationship but there is not a one to one ratio between groundwater and the tides.

Mr. Field asked for confirmation that the project would be designed for hydrostatic pressure as well as tidal influence.

Mr. Bogardis agreed.

Mr. Field noted they have not concluded the design details as yet. The drawings being presented were design schematics.

Mr. Bogardis agreed.



Mr. Porter asked if the existing Y building is below the 100 year flood.

Mr. Bogardis stated that it is but added that the current flooding from Hurricane Sandy got in from the existing orifices and is why the active floodproofing measures are being proposed.

Mr. Gouverneur asked if they were planning on excavating in the Weeks Pavilion that is proposed to be removed.

Mr. Bogardis stated they were.

Mr. Field asked about soil stabilization during construction. He asked what affect it would have on the adjacent roadway.

Mr. Bogardis stated there would be a temporary soil stabilization station; options would include tiles, lagging, and shockcrete on the face to stabilize the foundation.

Mr. Porter asked if Church Lane and Elm Street would remain open to traffic.

Mr. Bogardis stated that the roads may get closed for deliveries but it is not envisioned that the roads would be closed for building the foundations.

Ms. Rycenga stated she would like to see the geo-technical report.

Ms. Johnson stated it is very detailed and will submit a summary.

Mr. Bogardis noted there currently is no stormwater quality treatment. With this project, they are proposing improvements that include that all connection points will have a lead to one of the three Vortechincs units, which will treat the first flush of runoff from sediments and hydrocarbons. He noted the Vortechincs does not treat nutrients. He stated the roof runoff is not connected to this system because this surface is generally clean runoff.

Ms. Krynicki asked if a long-term maintenance plan has been prepared for the Vortechincs units.

Mr. Bogardis stated a maintenance plan has not been prepared as yet but they would do so as a condition of approval for the Vortechincs units and the catchbasins. On the Gunn portion of the property, where the lawn is being substituted for building, the proposal is to have the runoff go to an oversize pipe, which will act as a detention basin.

Ms. Rycenga asked for the specifications for maintenance of the Vortechincs system.

Ms. Johnson stated they don't have specifications yet but are willing to give general specifications.

Mr. Field noted that portions of downtown Westport are flooded almost annually. He questioned whether the Town would be coming up with new regulations for this area and if the applicant would be willing to plan for these changes.

Ms. Shea noted comments in the applicant's summary, which stated there would be no impact to the Saugatuck River. She asked how they came to the conclusion.

Mr. Bogardis stated the site is fully developed and the majority of the changes to the historic building are interior, they feel the impact to the Saugatuck River is nominal since the hydrology will not change. It is not like this is an open field where they are going to change it and the hydraulics of the site. They are going to enhance the site.

Ms. Krynicki raised concerns about dewatering because they plan on discharging their dewatering pipe into the stormdrains, which discharge into the Saugatuck River. Her concern is what happens if it is sediment laden. She asked how it would be cleansed before discharge into the Saugatuck River. She also asked if the temperature of the discharge would be higher and have a thermal impact on the River.

Mr. Bogardis stated they will be prepared to offer a formal response to this concern and be able to discuss it at the next meeting.

Ms. Mozian read into the record comments on liability relating to the floodproofing measures from Diane Ilovic of the State FEMA Office.

Mr. Field asked about the elevation of the outfall at the Saugatuck River.

Mr. Bogardis stated the outfall elevation at the tidegate is 1.26 msl.

Mr. Field asked if they plan on securing permits within the year.

Ms. Johnson stated they plan on having final documents by summer 2014 for final permits. Construction start is scheduled for fall 2014 and will take 2 years to complete.

Ms. Mozian and Ms. Rycenga asked for an elaboration of Schedule D pursuant to §30-93 and they summarized the requested information thus far to be reviewed at the December 12, 2012 Public Hearing, which includes submission of the Geo-Technical report, the maintenance plan for the Vortechincs, a full response to the staff report, elevation of stormwater discharge outfall pipes and a construction sequencing plan.

Mr. Field noted the Vortechincs units would not work at high tide or during surge events.

Mr. Bogardis stated that is why they are floodproofing the project.

Ms. Rycenga stated the construction sequencing plan would be helpful.

Motion to continue the hearing to the December 12, 2012 Public Hearing.

<b>Motion:</b>	<b>Gouverneur</b>	<b>Second:</b>	<b>Rycenga</b>
<b>Ayes:</b>	<b>Gouverneur, Rycenga, Belzer, Field, Porter, Shea, Skinner</b>		
<b>Nayes:</b>	<b>None</b>	<b>Abstentions:</b>	<b>None</b>
			<b>Vote: 7:0:0</b>

Motion to close the Public Hearing and move into the Work Session.

<b>Motion:</b>	<b>Gouverneur</b>	<b>Second:</b>	<b>Shea</b>
<b>Ayes:</b>	<b>Gouverneur, Shea, Belzer, Field, Porter, Rycenga, Skinner</b>		
<b>Nayes:</b>	<b>None</b>	<b>Abstentions:</b>	<b>None</b>
			<b>Vote: 7:0:0</b>

### **III. Work Session I:**

#### **1. Receipt of Applications:**

**41 Crescent Road: Application #IWW-9243-12 by Land-Tech Consultants on behalf of Roger Quick of Heritage Homes to retain the existing single family dwelling and subdivide the property into four new single-family building lots.**

Ms. Mozian noted the application was complete and was being sent to Sean Carroll of Haley & Aldrich, the consultant hired to help in the review of the project, as well as the Town's Engineering Department. She noted she had 65 days to open the hearing.

Motion to receive Application IWW-9243-12.

**Motion:**     **Shea**                                 **Second:**     **Belzer**  
**Ayes:**     **Shea, Belzer, Field, Gouverneur, Porter, Rycenga, Skinner**  
**Nayes:**    **None**                                 **Abstentions:** **None**                     **Vote:** **7:0:0**

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

Ms. Mozian stated there were no new violations to report.

**3. Approval of October 17, 2012 meeting minutes.**

This agenda item was postponed to the December 12, 2012 public hearing.

**4. Discussion on permit issuances in response to damages caused by Hurricane Sandy. –**

The Commission reviewed the press releases and policies drafted by staff in response to Hurricane Sandy. All members supported the policies. There was no vote taken.

The November 14, 2012 Public Hearing of the Westport Conservation Commission adjourned at 9:15 p.m.

**Motion:**     **Shea**                                 **Second:**     **Rycenga**  
**Ayes:**     **Shea, Rycenga, Belzer, Field, Gouverneur, Porter, Skinner**  
**Nayes:**    **None**                                 **Abstentions:** **None**                     **Vote:** **7:0:0**