WESTPORT CONNECTICUT



CONSERVATION COMMISSION

110 MYRTLE AVENUE WESTPORT, CT 06880 (203) 341-1087 (203) 341-1088 (Fax)

ACTION MINUTES WESTPORT CONSERVATION COMMISSION DECEMBER 12, 2012

Members Present: W. Fergus Porter, Chair; Ralph Field; Jeffress Gouverneur; Anna Rycenga;

Pat Shea; John Skinner, John Washburn

Staff Present: Alicia Mozian, Conservation Director; Lynne Krynicki, Conservation Analyst

Work Session I: 7:00 pm, Room 201/201A

1. Receipt of Applications

83 Red Coat Road: Application #AA,WPL-9293-12 by Larry Edwards on behalf of Red Coat Realty LLC for a new single family residence, driveway and associated site improvements Regulated activities include renovation of existing pool, and the construction of a wall and berm to protect the pool from flood water damage. Portions of the work are within the 25-year floodplain and the WPLO of the Saugatuck River.

Ms. Krynicki stated the application was complete and could be received for the January 16, 2012 public hearing.

Motion to place 83 Red Coat Road on the January 16, 2012 Public Hearing agenda.

Motion: Shea Second: Rycenga

Ayes: Shea, Rycenga, Field, Gouverneur, Porter, Skinner, Washburn Nayes: None Abstentions: None Vote: 7:0:0

Ms. Mozian stated the submission deadline for the January 16, 2012 meeting is December 13, 2012 and more applications are expected.

- 2. Report by Colin Kelly, Conservation Compliance Officer on the status of existing enforcement activity. MS. MOZIAN REPORT TWO NOTICES OF VIOLATION WERE ISSUED FOR LEAF DUMPING IN A WETLAND TO THE PROPERTY OWNERS AT 212 WILTON ROAD AN 19 & 21 JENNIE LANE.
- **3. 22 Evergreen Avenue:** Request for bond release for monies being held for plantings as required as a condition of Permit #IWW,WPL-6631-01. **RELEASE BOND MONIES.**

Motion: Gouverneur Second: Shea

Ayes: Gouverneur, Shea, Field, Porter, Rycenga, Skinner, Washburn Nayes: None Abstentions: None Vote: 7:0:0

4. 29A Sturges Commons: Request for bond release for monies being held for plantings and sediment and erosion controls as required as a condition of Permit #IWW,WPL/E-8838-11. –

RELEASE BOND MONIES

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

5. 84 Wilton Rd: Request for bond release for monies being held for plantings as required as a condition of Permit #WPL-8528-09. – **RELEASE BOND MONIES**

Motion: Gouverneur Second: Shea

Ayes: Gouverneur, Shea, Field, Porter, Rycenga, Skinner, Washburn Nayes: None Abstentions: None Vote: 7:0:0

6. Other Business

Public Hearing: Room 201/201A, 7:15 p.m.

1. **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. – **APPROVED WITH CONDITIONS**

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

2. CONTINUED APPLICATION – 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. – DISCUSSION AND PRESENTATION. APPLICANT GAVE A VERBAL WITHDRAWAL OF THE APPLICATION AT THE END OF THE EVENING.

Work Session II:

1. Approval of October 17, 2012 meeting minutes. – APPROVED AS SUBMITTED

Motion: Skinner Second: Shea

Ayes: Skinner, Shea, Field, Gouverneur, Porter, Rycenga, Washburn Nayes: None Abstentions: None Vote: 7:0:0

2. Approval of November 13, 2012 field trip minutes. – APPROVED AS SUBMITTED

Motion: Field Second: Shea

Ayes: Field, Shea, Gouverneur, Porter, Rycenga, Skinner, Washburn Nayes: None Abstentions: None Vote: 7:0:0

3. Approval of November 14, 2012 meeting minutes. – APPROVED AS SUBMITTED

Motion: Skinner Second: Shea

Ayes: Skinner, Shea, Field, Gouverneur, Porter, Rycenga, Washburn Nayes: None Abstentions: None Vote: 7:0:0

- 4. Other business.
 - a. 2 Northside Lane Court Case COMMISSION AND STAFF REVIEWED THE COURT DECISION UPHOLDING THE COMMISSION'S DECISION TO APPROVE A WALL PARTIALLY WITHIN THE UPLAND REVIEW AREA. LESSONS LEARNED EXPERT TESIMONY IMPORTANT IN THE RECORD. THOROUGHNESS COUNTS. HAVING REASONS FOR ACTIONS WITH THE FINDINGS CLEARLY STATED.
 - b. Resolution of Y Questions MS. MOZIAN STATED INFORMATION REGARDING MINIMUM FLOW RATE FOR THE FAST SYSTEM HAS BEEN RECEIVED WHICH HAS

BEEN REVIEWED BY THE MANUFACTURER, THE TOWN'S CONSULTANT AND SIGNED AND CERTIFIED BY THE APPLICANT'S ENGINEER.

c. 17 Bobwhite Drive - Request to amend Resolution #IWW,WPL/E-9119-12 to reinstate master bedroom suite addition into the approval. – MS. KRYNICKI STATED THERE IS NO ADVERSE IMPACT IN ADDING THE MASTER BEDROOM ADDITION ON THE SECOND FLOOR INTO APPROVAL AS WAS PART OF THE ORIGINAL APPLICATION BUT LATER RESCINDED BY THE APPLICANT BUT WHICH HE NOW WANTS TO DO. MOTION TO AMEND RESOLUTION #IWW,WPL/E-9199-12 TO INCLUDE THE SECOND FLOOR ADDITION.

Motion: Shea Second: Rycenga

Ayes: Shea, Rycenga, Field, Gouverneur, Porter, Skinner, Washburn Nayes: None Abstentions: None Vote: 7:0:0

d. 8 Gilbert Lane: Request to allow staff to issue an Administrative Approval to convert a screened porch into a family room and build a deck over an existing pebble patio located within the upland review area. – MOTION TO ALLOW STAFF TO ISSUE ADMINISTRATIVE APPROVAL WITH CONDITIONS.

Motion: Rycenga Second: Field

Ayes: Rycenga, Field, Gouverneur, Porter, Shea, Skinner, Washburn Nayes: None Abstentions: None Vote: 7:0:0

The December 12, 2012 Public Hearing of the Westport Conservation Commission adjourned at 9:35 p.m.

Motion: Rycenga Second: Shea

Ayes: Rycenga, Shea, Field, Gouverneur, Porter, Skinner, Washburn Nayes: None Abstentions: None Vote: 7:0:0