

**MINUTES  
WESTPORT CONSERVATION COMMISSION  
FEBRUARY 19, 2014**

The February 19, 2014 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:**

W. Fergus Porter, Chair  
Pat Shea, Esq., Vice-Chair  
Robert Corroon  
Paul Davis, Alternate  
Anna Rycenga  
John Washburn

**Staff Members:**

Alicia Mozian, Conservation Department Director  
Lynne Krynicki, Conservation Analyst

This is to certify that these minutes and resolutions were filed with the Westport Town Clerk within 7 days of the February 19, 2014 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

**Executive Session: 7:00 pm, Room 201/201A** (The executive session is not open to the public.) – Commission to discuss pending litigation of **41 Crescent Road, Permit #IWW-9561-13.**

Motion to move into executive session.

**Motion: Shea Second: Washburn**  
**Ayes: Shea, Washburn, Corroon, Davis, Porter**  
**Nays: None Abstentions: None Vote: 5:0:0**

Ms. Rycenga joined the meeting and participated in the executive session.

The Commission reconvened at 7:32 p.m.

**Changes or Additions to the Agenda.** The Commission may amend the agenda by a 2/3 vote to include items not requiring a Public Hearing.

Ms. Mozian stated there was one item to add to the agenda.

**7 Tupelo Road** – Request to authorize staff to issue an administrative approval to reconstruct a house within the upland review area setback.

Motion to amend the agenda to add 7 Tupelo Road to Work Session II.

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

**Work Session I: 7:35 pm Room 201/201A**

**1. Receipt of Applications**

Ms. Mozian stated there was one item to officially receive:

**24 Pequot Trail:** Application #IWW,WPL/E-9716-14 by RI Pools, Inc on behalf of Seth D & Marjorie L Almonsi for a new inground pool with spa and auto cover, boulder wall, patio, and wood steps down from the house to the pool patio. Portions of the work are within the upland review area setback.

She stated the application is complete and can be scheduled on the March 19, 2014 public hearing agenda.

Motion to receive 24 Pequot Trail.

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

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

Ms. Mozian reported the owner of 10 Stony Brook Road submitted the planting plan for the wetland restoration and the accompanying bond.

**3. Other Business**

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

**Motion:**        **Shea**                                **Second:**        **Rycenga**  
**Ayes:**         **Shea, Rycenga, Corroon, Davis, Porter, Washburn**  
**Nayes:**        **None**                                **Abstentions:** **None**                                **Vote: 6:0:0**

**Public Hearing: 7:30 pm. Room 201/201A.**

1. **21 Owenoke Park:** Application #WPL-9702-14 by William A Achilles, Jr., Achilles Architects on behalf of John & Jayne Fatse for a house lifting above the FEMA flood line with relocation outside the V zone and within the zoning setbacks, additions and renovations to the first and second floor and attic with new roof structure and roof deck, new stairways, new pervious patios and driveway and new site drainage and plantings and new FEMA compliant generator and a/c units. Work is within the WPLO area of the Saugatuck River.

William Achilles, architect, presented the application on behalf of the property owners. He stated the site is bisected by the A (elevation 13) and V (elevation 14) flood zone. The project will lift and move the house out of the V zone and into the A zone. An at grade patio is to be constructed within the VE zone. They are also proposing to additions and raising the roof. The driveway will be permeable. Subsurface infiltration will be installed for the driveway and the roof runoff. A planting buffer will be installed along the seawall. He stated there is no grading proposed and no stockpiling anticipated.

Ms. Rycenga asked if the planting plan has been submitted.

Mr. Achilles stated that it has.

Ms. Mozian stated the Flood and Erosion Control Board meeting on February 5, 2014 was cancelled due to weather. The Commission cannot make a decision until the Flood Board acts; therefore, she recommends continuing the hearing to the March 19, 2014 public hearing.

Motion to continue the public hearing to the March 19, 2014 public hearing.

**Motion:**        **Shea**                                **Second:**        **Davis**  
**Ayes:**         **Shea, Davis, Corroon, Porter, Rycenga, Washburn**  
**None:**        **None**                                **Abstentions:** **None**                                **Vote: 6:0:0**

2. **123 Compo Road South:** Application IWW,WPL/E-9703-14 by Barr Associates, LLC on behalf of Timothy & Jennifer Robson for a proposed kitchen addition and garage/apartment addition with new pool and patio. Portions of the work are within the upland review area setbacks.

Mel Barr of Barr Associates presented the application on behalf of the property owners, who were present in the audience. The property is designated historic and houses a garage apartment. A small stream bisects the rear of the property with wetlands that straddles it. The project consists of a kitchen addition, a small therapy pool over the existing patio, a garage apartment addition for a staircase, and an existing lean-to shed behind the garage will be enclosed and used for a cabana. Mr. Barr stated a previous approval for a screened porch was never built and that is the location of the kitchen addition. At the time of that approval, a vegetative buffer was installed along the stream. With this proposal, two raingardens are proposed. Construction access will be off the driveway. Excavated material will be hauled off-site. The Town Engineer supported the issuance of a WPL/E. The Historic District Commission supported the proposal. The proposal consists of a 170 s.f. increase in coverage. The property is served by sewer. P&Z will need to approve a Special Permit since the property is historic.

Ms. Krynicki asked Mr. Barr to describe the construction entrance.

Mr. Barr stated the construction entrance has to be between two buildings.



**Sutton fine sandy loam, 3 to 8 percent slopes (51):** This soil unit consists of gently sloping, moderately well drained soil found in slight depressions and on the sides of hills and ridges. This Sutton soil has seasonal high water table at a depth of about 20 inches from late fall until mid-spring. The permeability of the soil is moderate or moderately rapid. Runoff is medium, and available water capacity is moderate. Many areas of this soil type are used for community development, with limitations caused by the high water table. 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. Quickly establishing plant cover, mulching, and using siltation basins and diversions help to control erosion and sedimentation during construction. The seasonal high water table limits community development and makes special design and installation of onsite septic systems necessary.

**Udorthents-Urban land complex (306):** 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.

**8. Property Description and Facts Relative to the Application**

- a. The Westport Wetlands Inventory, prepared by Flaherty Giavara Associates, P.C., dated June 1983 describes this wetland as "streamside, floodplain, permanent, with a wooded swamp." The outlet of the wetland is Pussy Willow Brook.
- b. The property supports a six bedroom residence serviced by municipal sewer and water. The residence was constructed in 1853 and remodeled in 2010.
- c. The property lies outside the 100 year flood boundary as delineated by FEMA.
- d. Property does not exist within the Aquifer Protection Overlay Zone.
- e. Property does not occur within a groundwater recharge area.
- f. Property does not exist within the Coastal Areas Management Zone.
- g. Discussion of the applicant with the Engineering Department resulted in a surface drainage proposal with rain gardens as being acceptable. Rain gardens are proposed to capture the runoff from the additional impervious areas.
- h. The existing driveway area will decrease and the proposed building area will increase. Total lot coverage is proposed to increase 1.08%.

**9. Vegetation Description**

The rear of the parcel has been planted adjacent to the stream and a large planting area is being established along the southeasterly property line. Property line perimeter shrubs and plantings align Green Acres Lane.

Ornamental shrubs are used as foundation plantings for the residence.

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

**a. 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

Minimal grading within the garage driveway area is being proposed with this site development proposal. The existing garage slab is proposed to be elevated in conjunction with the grading to alleviate a road runoff and flooding issue that occurs from Green Acre Lane.

An existing lean to at the back of the garage will be enclosed to be changing and bath amenities for the pool. An existing lean to on the easterly side of the garage will be rebuilt to become a utility/garden shed over an existing concrete slab.

A second floor dormer will be added to a proposed garage addition on the west side of the existing garage.

A proposed kitchen addition to the south and east of the existing residence as well as a pool and permeable patio are also proposed.

The Commission finds all of these proposed improvements will be taking place over existing areas of disturbance, building or patio footprint and the existing lawn areas.

No vegetation is being removed due to this proposal.

**b. 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, will not result;
- d) pollution of groundwater or a significant aquifer will not result (*groundwater recharge area or Aquifer Protection Overlay Zone*);
- e) all applicable state and local health codes shall be met;
- f) 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;
- g) prevents pollution of surface water

A planted buffer adjacent to the stream that traverses the property was installed several growing seasons ago and continues to flourish. This buffer is located in an area which is the lowest elevation of the property. All surface runoff is directed towards this buffer area.

Rain gardens are proposed to collect storm water runoff for the house and garage additions. The pool patio is proposed to be pervious and a planted island will be installed west of the regraded garage driveway improvements.

Storm water runoff velocity will not be increased with this proposal as there is little to no change in grade.

A rain garden filters the runoff from the roof and garden and recharges the groundwater. Vegetation and soil within the rain garden use physical and biological processes to remove contaminants carried by storm water. Infiltrating storm water into native underlying soils helps mimic natural drainage processes and reduces the volume of runoff. The Commission finds the use of plantings and rain gardens is addressing water quality adequately.

**c. 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.

Silt fence will be installed at the proposed limit of disturbance. The surface topography indicates runoff will be directed in the direction of the silt fence. As the area of the proposed site alterations is nearly level erosion and sedimentation during construction activities should not be problematic provided erosion and sediment controls are properly installed and maintained.

The Commission finds a detailed planting list and cross section design details for the rain garden will be submitted to the Conservation Department for review and approval.

The Commission finds a soil stock pile area should be identified in the field.

**d. 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 installed stream side buffer provides enhancement of habitat potential on this parcel. The proposed rain garden and the plethora of additional plantings east of the stream provides additional habitat potential as well. The property is located within an area of residential development. The wildlife that can be expected is that which is typically found in backyards.

The Commission finds this proposal will not impact existing habitat.

**e. 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 applicant does not propose footing drains as part of this application. As the proposed addition is less than 850sf of impervious surface increase, an engineered drainage design is not required.

The applicant proposes to utilize surface infiltration through the use of rain gardens. This method has been found to be acceptable to the Engineering Department for this project. The Commission finds discharge and runoff will not be adversely impacted by this proposal.

**f. 6.6 RECREATIONAL AND PUBLIC USES**

- a) access to and use of public recreational and open space facilities, both existing and planned, will not be prevented;
- b) navigable channels and or small craft navigation will not be obstructed;
- c) open space, recreational or other easements will be deeded whenever appropriate to protect these existing or potential recreational or public uses;
- d) wetlands and watercourses held in public trust will not be adversely affected.

The Commission finds the current application proposal will have no significant impact on recreational and public uses.

### **Waterway Protection Line Ordinance**

Section 30-93 of the WPLO ordinance states the following: "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 waters, 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 Waterway Protection Line boundary exists 15' from the flagged wetland line. The activity as proposed within the jurisdictional boundary consists of a deck floor in the utility shed, a very small area of a pervious patio and rain garden plantings adjacent to the stream.

Jim Kousidis, staff for the Flood and Erosion Control Board has reviewed this proposal and finds it to be eligible for an exemption from the WPLO and also acceptable for the Town of Westport drainage requirements.

The Commission finds the implementation of additional native plantings within the wetlands associated with watercourse will allow a reduction in the amount of manicured landscaping and maximizes biofiltration and minimizes the impacts from the increase in runoff.

Habitat diversity will be improved with the additional wetland plantings. The natural rates and processes of erosion and sedimentation will be improved with the additional plantings.

Provided erosion controls are properly placed and installed, excavated materials are hauled off the site and planting is implemented as proposed, the Commission finds the proposed activity will not significantly impact resources as they are protected under the Waterway Protection Line Ordinance.

**Conservation Commission**  
TOWN OF WESTPORT  
**Conditions of Approval**  
**Application # IWW,WPL/E 9703-14**  
**Street Address: 123 Compo Road South**  
**Assessor's: Map D 07 Lot 065**  
**Date of Resolution: February 19, 2014**

**Project Description:** Proposed kitchen addition and garage apartment additions with a new pool and patio. Plantings and rain gardens are being utilized for storm water runoff. Portions of the work are within the upland review area setbacks.

**Owner of Record:** Timothy and Jennifer Robson

**Applicant:** Barr Associates LLC

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 WITH CONDITIONS** Application #IWW,WPL/E 9703-14 with the following conditions:

1. 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.
2. Permits are not transferable without the prior written consent of the Conservation Commission.
3. 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.



4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. Organic Landscaping practices are recommended as described by the Northeast Organic Farming Association.
10. All plants proposed in regulated areas must be non-invasive and native to North America.
11. Trees to remain are to be protected with tree protection fencing prior to construction commencement.
12. The bottom of all storm water retention structures shall be placed no less than 1 foot above seasonal high groundwater elevation.
13. 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.
14. 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.
15. A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.
16. **Standard Conditions of Approval for Swimming Pools** Proposed Near Wetlands and Watercourses are as follows:
  - 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.
  - c. When pools are proposed in an area that abuts a waterway or wetland, a vegetated buffer is to 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 extended periods of time (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**

17. Conformance to the plans entitled:
  - a. "Existing Conditions Plot Plan Prepared for Timothy J. & Jennifer E. Robson, 123 Compo Road South, Westport, Connecticut", Scale 1"=20', dated June 8, 2011 and last revised to August 15, 2011, prepared by Leonard Surveyors LLC.
  - b. "Proposed Plot Plan Prepared for Timothy J. & Jennifer E. Robson, 123 Compo Road South, Westport, Connecticut", Scale 1"=20', dated December 3, 2013, prepared by Leonard Surveyors LLC.
  - c. Architectural plans: Robson Project, Renovation and Addition, 123 South Compo Road, Westport, CT, dated January 14, 2014, Sheets EX 1.1- EX 2.2, A1.1- A2.3.

- d. Landscape Plan entitled: "Rain Gardens", dated December 1, 2013, prepared by Growing Solutions, LLC
18. A cross section construction detail of the rain gardens to include the proposed soil mix requirements and the plantings shall be submitted to the Conservation Department prior to the issuance of a zoning permit.
  19. The landscape architect shall witness the installation the rain gardens structures and shall certify as to the proper construction methods and materials prior to the issuance of a Conservation Certificate of Compliance.
  20. Dewatering details for the excavation of the proposed pool shall be submitted to the Conservation Department staff for review and approval prior to the issuance of a Zoning permit.
  21. A soil stockpile area shall be identified in the field and observed and approved at the time of the erosion and sediment control inspection.

**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:** Davis    **Second:** Rycenga

**Ayes:** Shea, Davis, Rycenga, Porter, Washburn, Corroon

**Nays:** 0

**Abstentions:** 0

**Vote:** 6:0:0

3. **126 Harbor Road:** Application #WPL-9704-14 by Garrett Wilson for a new single family residence and associated site improvements on a vacant lot. Work is within the WPLO area of the Saugatuck River.

The hearing was opened and continued to the March 19, 2014 Public Hearing in order to allow for decision of the Flood and Erosion Control Board.

**Motion:** Shea

**Second:** Washburn

**Ayes:** Shea, Washburn, Corroon, Davis, Porter, Rycenga

**Nays:** None

**Abstentions:** None

**Vote:** 6:0:0

4. **143 Old Road, 6 Elwil Drive, 38 Woodside Avenue, 12 Pamela Place, 28 Jennie Lane, 4 Old Orchard Road, 123 Compo Road South:** Application #IWW/M-9717-14 by the Town of Westport on behalf of Milton Development LLC; Coastal 6 Elwil LLC; Alex Hyman; Westport Building Company LLC; Barbara Bingham and Anastasios Kokoris; Old Orchard Westport LLC; and Timothy & Jennifer Robson to amend, respectively, wetland boundary maps # I10, E10, B9, E11, D5, H10, and D7.

Ms. Krynicki presented the application. All seven applications are the result of a condition of a building project. Staff has verified all boundaries that were flagged in the field by the owners' soil scientist. No Certificate of Compliance for the building projects are issued until an electronic file of the boundary is submitted.

With no public comment, the hearing is closed.

**Motion:** Shea

**Second:** Rycenga

**Ayes:** Shea, Rycenga, Corroon, Davis, Porter, Washburn

**Nays:** None

**Abstentions:** None

**Vote:** 6:0:0

## FINDINGS

### Application #IWW/M 9714-14

#### 143 Old Road, 6 Elwil Drive, 38 Woodside Avenue, 12 Pamela Place, 28 Jennie Lane, 4 Old Orchard Road, 123 Compo Road South

As required by Section 8.0 of the "Regulations for the Protection and Preservation of Wetlands and Watercourses for the Town of Westport, Connecticut" revised to August 2004, any petition to revise a wetland boundary may require supporting documentation from a soil scientist that the land in question does not have a poorly or very poorly drained, alluvial or floodplain soil. Map amendment applications on the properties located at 143 Old Road, 6 Elwil Drive, 38 Woodside Avenue, 12 Pamela Place, 28 Jennie Lane, 4 Old Orchard Road, 123 Compo Road South are supported by certified soil scientists on the basis of on site soil investigations. Staff has field checked the flagged wetland boundary and have concurred with the soil scientists delineations.

#### 1. 143 Old Road Amendment of wetland boundary map I 10

**Soil Scientist:** Otto Theall of Soil & Wetland Science, LLC

**Soil Report Summary-** prepared by Otto Theall of Soil & Wetland Science, LLC on September 10, 2012 describes the following wetland soils occurring on the property:

**Rippowam fine sandy loam (103):** This soil unit consists of nearly level, poorly drained soil found on flood plains of major streams and their tributaries. About 15 percent of this map unit includes small areas of moderately well drained Pootatuck soils, very poorly drained Saco and Scarboro soils, and a few areas with a surface layer and subsoil of silt loam. This Rippowam soil is subject to frequent flooding. It has a seasonal high water table of a depth of about 6 inches from fall until late spring. The permeability of the soil is moderate or moderately rapid in the surface layer and subsoil and rapid or very rapid in the substratum. Runoff is slow or very slow, and available water capacity is moderate. The soil dries out and warms up slowly in spring. Most areas of this soil are wooded. A few areas are used for hay, pasture, and corn, and a few small scattered areas have been filled and are used for community development. The frequent flooding and the seasonal high water table are the main limitations of this soil for community development. Extensive filling is needed for on-site septic systems. Excavations are commonly inundated by water, and slopes of excavations are unstable when wet. The soil is poorly suited to trees. Wetness limits the use of equipment, and the seasonal high water table restricts rooting depth and causes the uprooting of many trees during the windy period.

Mr. Theall describes the non-wetland soils as described as the following:

**Agawam fine sandy loam (29):** This nearly level, well drained soil is found on plains and terraces in stream valleys. Included with this unit in mapping are small areas of excessively drained Hinckley soils, somewhat excessively drained Merrimac soils, well drained Haven soils, and moderately well drained Ninigret soils. The permeability of this Agawam soil is moderately rapid in the surface layer and subsoil and rapid in the substratum. Runoff is slow, and available water capacity is moderate. The soil dries out and warms up early in the spring. Most area of this soil are used for community and industrial development. Some areas are used for corn, vegetable, and nursery crops, and a few are wooded. **The rapid permeability of this soil causes a hazard groundwater pollution in areas used for on-site septic systems.** The soil is unstable and thus is limited for excavations. Quickly establishing plan cover, mulching, and using siltation basins help to reduce erosion and sedimentation during construction.

**Udorthents (306):** This series occur on leveled land and fill landforms. 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.

**Aquents:**

These mapping units consist of disturbed soils in which no natural soil profile or solum can be recognized. The drainage classification ranges from poorly drained to very poorly drained based on vegetation, topography, presence of a recently developed thin organic surface, location on the landscape and other factors. In filled areas there may be a perched water table or an impervious layer that creates an aquic moisture regime. The textures of the soil material include silt loam, fine sandy loam, sandy loam, silt, sand and gravelly sandy loam.

**Plan reviewed:** "Zoning Location Survey, Map of Property Prepared for Milton Development, 143 Old Road, Westport, Connecticut", Scale 1"=20', dated September 19, 2012 and last revised to November 1, 2013, prepared by Walter H. Skidd- Land Surveyor LLC

**2. 6 Elwil Drive:** Amendment of wetland boundary map E 10.

**Soil Scientist:** Otto Theall of Soil & Wetland Science, LLC

**Soil Report Summary-** prepared by Otto Theall on October 17, 2012 describes the following wetland soils occurring on the property:

**Ridgebury, Leicester, and Whitman extremely stony fine sandy loams (3):** This unit consists of poorly drained and very poorly drained soils found in depressions and drainageways 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. Theall describes the non-wetland soils as described as the following:

**Sutton fine sandy loam, 3 to 8 percent slopes (51):** This soil unit consists of gently sloping, moderately well drained soil found in slight depressions and on the sides of hills and ridges. This Sutton soil has seasonal high water table at a depth of about 20 inches from late fall until mid-spring. The permeability of the soil is moderate or moderately rapid. Runoff is medium, and available water capacity is moderate. Many areas of this soil type are used for community development, with limitations caused by the high water table. 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. Quickly establishing plant cover, mulching, and using siltation basins and diversions help to control erosion and sedimentation during construction. The seasonal high water table limits community development and makes special design and installation of onsite septic systems necessary.

**Charlton-Chatfield complex (73):** Stones and boulders cover 5 to 35% of the surface. Included with this soil in mapping are small areas of somewhat excessively drained Hollis soils, well drained Paxton soils and moderately well drained Sutton soils and small areas of soils with bedrock at a depth

of 20 to 40 inches. Included areas make up about 15 per cent of this map unit. The permeability of this Charlton soil is moderate or moderately rapid. Runoff is rapid and available water capacity is moderate. The hazard of erosion is moderate. Most of the acreage of this soil is in woodland. Some scattered areas are used for community development, and a few small areas are used for pasture. Slope and the stones and boulders on the surface are the main limitation of this soil for community development. **Slope makes careful design and installation of onsite septic systems necessary 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-Urban land complex (306):** 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.

**Plan reviewed:** "Zoning/Location Survey, Map of Property prepared for Michael Spellacy & Stephanie Rosenthal, 6 Elwil Drive, Westport, Connecticut", Scale 1"=30', dated October 22, 2012 and last revised to May 7, 2013, prepared by Walter H. Skidd- Land Surveyor LLC

**3. 38 Woodside Avenue:** Amendment of wetland boundary map B 9.

**Soil scientist:** JMM Wetland Consulting Services, LLC

**Soil Report Summary-** prepared by Jim McManus on March 1, 2012 describes the following wetland soils occurring on the property:

**Ridgebury, Leicester, and Whitman extremely stony fine sandy loams (3):** This unit consists of poorly drained and very poorly drained soils found in depressions and drainageways 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.

**Timakwa (17):** This unit consists of very deep, very poorly drained soils formed in woody and herbaceous organic materials over sandy deposits in depressions on lake plains, outwash plains, till plains, moraines and flood plains. Saturated hydraulic conductivity is moderately low to high in the organic layers and high or very high in the sandy material. Slope ranges from 0 to 2 percent.

Mr. McManus describes the non-wetland soils as described as the following:

**Sutton fine sandy loam, 3 to 8 percent slopes (50):** This soil unit consists of gently sloping, moderately well drained soil found in slight depressions and on the sides of hills and ridges. This Sutton soil has seasonal high water table at a depth of about 20 inches from late fall until mid-spring. The permeability of the soil is moderate or moderately rapid. Runoff is medium, and available water capacity is moderate. Many areas of this soil type are used for community development, with

limitations caused by the high water table. 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. Quickly establishing plant cover, mulching, and using siltation basins and diversions help to control erosion and sedimentation during construction. The seasonal high water table limits community development and makes special design and installation of onsite septic systems necessary.

**Udorthents-Urban land complex (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.

**Plan reviewed:** "Site Improvement Plan for Alex Hyman, 38 Woodside Avenue, Westport, Connecticut", Scale 1"=40', dated August 20, 2012, prepared by Grumman Engineering LLC

4. **12 Pamela Place:** Amendment of wetland boundary map E 11

**Soil Scientist:** JMM Wetland Consulting Services, LLC

**Soil Report Summary-** prepared by Jim McManus on March 1, 2012 describes the following wetland soils occurring on the property:

**Ridgebury, Leicester, and Whitman extremely stony fine sandy loams (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 water table 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.

**Aquents (308):** This soil map unit consists of poorly drained soils and very poorly drained disturbed land areas. They are most often found on landscapes, which have been subject to prior filling and/or excavation activities. In general, this soil map unit occurs where two or more feet of the original soil surface has been filled over, graded or excavated. Aquents are recently formed soils, which have an aquic moisture regime.

Mr. McManus describes the non-wetland soils as described as the following:

**Chatfield fine sandy loam (73):** This series consists of moderately deep, well drained, and somewhat excessively drained soils formed in till. They are nearly level to steep soils on glaciated plains, hills and ridges. Permeability is moderate or moderately rapid.

**Sutton fine sandy loam, 3 to 8 percent slopes (50):** This soil unit consists of gently sloping, moderately well drained soil found in slight depressions and on the sides of hills and ridges. This Sutton soil has seasonal high water table at a depth of about 20 inches from late fall until mid-spring.

The permeability of the soil is moderate or moderately rapid. Runoff is medium, and available water capacity is moderate. Many areas of this soil type are used for community development, with limitations caused by the high water table. 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. Quickly establishing plant cover, mulching, and using siltation basins and diversions help to control erosion and sedimentation during construction. The seasonal high water table limits community development and makes special design and installation of onsite septic systems necessary.

**Udorthents-Urban land complex (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.

**Plan reviewed:** "Site Improvement Plan for Westport Building Company, 12 Pamela Place, Westport, Connecticut", Scale 1"=30', dated August 15, 2013 and last revised to December 20, 2013, prepared by Grumman Engineering LLC

5. **28 Jennie Lane:** Amendment of wetland boundary map D 5

**Soil Scientist:** Chris Allan of LandTech

**Soil Report Summary-** Soil Report Summary- prepared by Chris Allan of LandTech on October 31, 2013 describes the following wetland soils occurring on the property:

**Walpole sandy loam (13):** This unit consists of very poorly drained sandy soils formed in outwash and stratified drift. This soil unit has a seasonal high water table at a depth of about 6 inches from fall to spring. The permeability of the soil is moderately rapid in the surface layers and subsoil, and rapid or very rapid in the substratum.

Mr. Allan describes the non-wetland soils as described as the following:

**Ningret and Tisbury (21A):** This series consists of very deep, moderately well drained soils formed in loamy and silty deposits over sandy and gravelly glacial outwash.

**Udorthents (308):** This series occur on leveled land and fill landforms. 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.

**Plan Reviewed:** "Site Improvements for a Proposed Single Family Dwelling, Anastasios Kokoris, 28 Jennie Lane, Westport, Connecticut", Scale 1"=20', dated December 13, 2013, prepared by LandTech

**6. 4 Old Orchard Road:** Amendment of wetland boundary map H 10

**Soil Scientist:** JMM Wetland Consulting Services, LLC

**Soil Report Summary-** prepared by Jim McManus on October 2, 2013 describes the following wetland soils occurring on the property:

**Ridgebury, Leicester, and Whitman extremely stony fine sandy loams (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 water table 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. McManus describes the non-wetland soils as described as the following:

**Charlton Chatfield fine sandy loam (73):** This series consists of moderately deep, well drained, and somewhat excessively drained soils formed in till. They are nearly level to steep soils on glaciated plains, hills and ridges. Permeability is moderate or moderately rapid.

**Plan Reviewed:** "Site Improvement Plan for Old Orchard Westport LLC, 4 Old orchard Lane, Westport, Connecticut", Scale 1"=30', dated November 5, 2013, prepared by Grumman Engineering LLC

**7. 123 Compo Road South:** Amendment of wetland boundary map D 7

**Soil Scientist:** Otto Theall of Soil & Wetland Science, LLC

**Soil Report Summary-** prepared by Otto Theall on October 17, 2011 describes the following wetland soils occurring on the property:

**Ridgebury, Leicester, and Whitman extremely stony fine sandy loams (3):** This unit consists of poorly drained and very poorly drained soils found in depressions and drainageways 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. Theall describes the non-wetland soils as described as the following:

**Sutton fine sandy loam, 3 to 8 percent slopes (51):** This soil unit consists of gently sloping, moderately well drained soil found in slight depressions and on the sides of hills and ridges. This Sutton soil has seasonal high water table at a depth of about 20 inches from late fall until mid-spring.



The permeability of the soil is moderate or moderately rapid. Runoff is medium, and available water capacity is moderate. Many areas of this soil type are used for community development, with limitations caused by the high water table. 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. Quickly establishing plant cover, mulching, and using siltation basins and diversions help to control erosion and sedimentation during construction. The seasonal high water table limits community development and makes special design and installation of onsite septic systems necessary.

**Udorthents-Urban land complex (306):** 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.

**Plan Reviewed:** "Existing Conditions Plot Plan Prepared for Timothy & Jennifer E. Robson, 123 Compo Road South, Westport, Connecticut", Scale 1"=20', dated June 8, 2011 and last revised to August 15, 2011, prepared by Leonard Surveyors, LLC

#### RESOLUTION

**143 Old Road, 6 Elwil Drive, 38 Woodside Avenue, 12 Pamela Place, 28 Jennie Lane, 4 Old Orchard Road, 123 Compo Road South  
February 19, 2014  
Application #IWW/M- 9717-14**

The Conservation Commission resolves to APPROVE Application #IWW/M 9717-14 for the amendment of the following wetland boundary maps on the basis that supporting evidence from certified soil scientists have been received on record to substantiate said amendments as required by Section 8.0 of the "Regulations for the Protection and Preservation of Wetlands and Watercourses for the Town of Westport, Connecticut" revised to August 2004:

1. **143 Old Road:** Amendment of wetland boundary map I 10 pursuant to the boundary determination of Otto Theall of Soil and Wetland Science LLC on September 10, 2012
2. **6 Elwil Drive:** Amendment of wetland boundary map E 10 pursuant to the boundary determination of Otto Theall of Wetland and Soil Science LLC on October 17, 2012
3. **38 Woodside Avenue:** amendment of wetland boundary map B 9 pursuant to the boundary determination by JMM Wetland Consulting Services, LLC on March 1, 2012
4. **12 Pamela Place:** amendment of wetland boundary map E 11 pursuant to the boundary determination of JMM Wetland Consulting Services, LLC on March 1, 2012
5. **28 Jennie Lane:** amendment of wetland boundary D 5 pursuant to the boundary determination of Chris Allan of Land Tech on December 13, 2013
6. **4 Old Orchard Road:** amendment of wetland boundary H 10 pursuant to the boundary of JMM Wetland Consulting Services, LLC on October 2, 2013
7. **123 Compo Road South:** amendment of wetland boundary D 7 pursuant to the boundary of Otto Theall of Soil and Wetland Science LLC on October 17, 2011

Said amendments are made with the following conditions:

1. An electronic file of the above referenced plans in a format acceptable to the Town Engineer shall be submitted to the Conservation Department before permits for any further activity will be authorized.



