

MINUTES
WESTPORT CONSERVATION COMMISSION
April 16, 2014

The April 16, 2014 of the Westport Conservation Commission was called to order at 7:00 p.m. in the Room 201/201A of the Westport Town Hall.

ATTENDANCE

Commission Members:

W. Fergus Porter, Chair
Pat Shea, Esq., Vice-Chair
Kathy Belzer
Paul Davis
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 April 16, 2014 Public Hearing of the Westport Conservation Commission pursuant to Section 1-225 of the Freedom of Information Act.

Alicia Mozian
Conservation Department Director

Proposal Description: To construct a new FEMA compliant 1 story addition to serve as a pool cabana, a detached two car garage and a generator served by a propane tank.

Property Description: Developed as a single family residence with associated site improvements including an in ground pool and patio and mature formal gardens.

Statement of Problem: A portion of the proposed garage is within the WPLO boundary. It will be constructed over the existing driveway surface. The cabana addition will be located outside the WPLO jurisdictional boundary and is eligible for an exemption.

WPLO Regulatory issues:

The activity will not cause water pollution, erosion and/or environmentally related hazards to life and property?	The work being proposed will be FEMA compliant. No grading is proposed as the work will take place within level areas and over those that are existing and improved.
The activity will not have an adverse impact on the preservation of the natural resources and ecosystems of the waterway?	Gray's Creek (the jurisdictional waterway) is located approximately 965' feet to the south west with multiple developed properties between the subject property and the resource. There is minimal change in topography for this distance as the area is a broad flat floodplain. There will be no direct impact from this project to Gray's Creek. The project aims to alleviate damage to the proposed structures from a 100 year storm event.
The activity will not have an adverse impact on ground and surface waters, aquifers, plant and aquatic life, nutrient exchange and supply, thermal energy flow, natural pollution filtration and/or decomposition?	For the reasons enumerated above. Subsurface infiltration is proposed to handle the runoff from the more frequent smaller storm events. The Engineering Department will be working directly with the applicant to accomplish proper drainage installation.
The activity will not have adverse impact on habitat diversity, viability and productivity and the natural rates and processes of erosion and sedimentation?	No grading is proposed . Proposed garage will be built over existing lawn area. Mature vegetation will remain. No direct impact to any waterbody or floodplain is anticipated.

Issues applicable to all applications:

Stormwater management / Plans	Storm water subsurface infiltration is proposed. Test holes will be required prior to installation to assure water table and composition are acceptable.
Grading	Grading will be minimal for this project.
Sedimentation and Erosion Controls	Perimeter silt fence around project area recommended
FEMA Compliance	All work is proposed to meet FEMA requirements.
Water Quality Management	Mature plantings will remain and natural hydraulic flows will be maintained.

GENERAL notes and Comments:

Conclusion: Project will be FEMA compliant and provide drainage for smaller storms. Construction activity is to take place over existing site improvements. The Commission finds that no adverse impacts are anticipated from proposal as protected under the Waterway Protection Line Ordinance.

Conservation Commission
TOWN OF WESTPORT
Conditions of Approval
Application # WPL 9736-14
Street Address: 4 Compo Parkway
Assessor's: Map D 05 Lot 144
Date of Resolution: April 16, 2014

Project Description: The construction of a FEMA compliant 1 story house addition to serve as pool cabana, a detached 2 car garage and a generator fueled by a propane tank. The work is within the Waterway Protection Line Ordinance and the 25 year floodplain of Gray's Creek.

Owner of Record: Andrew Bentley and Fiona Garland

Applicant: Andrew Jones

In accordance with Section 30-93 of the *Waterway Protection Line Ordinance* and on the basis of the evidence of record, the Conservation Commission resolves to **APPROVE** Application #**WPL 9736-14** with the following conditions:

1. It is the responsibility of the applicant to obtain any other assent, permit or license required by law or regulation of the Government of the United States, State of Connecticut, or of any political subdivision thereof.
2. If an activity also requires zoning or subdivision approval, special permit or special exception under section 8.3(g), 8-3c, or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit shall commence until such approval is obtained.
3. If an approval or permit is granted by another Agency and contains conditions affecting wetlands and/or watercourses, the applicant must resubmit the application for further consideration by the Commission for a decision before work on the activity is to take place.
4. The Conservation Department shall be notified at least forty-eight (48) hours in advance of the initiation of the regulated activity for inspection of the erosion and sediment controls.
5. All activities for the prevention of erosion, such as silt fences and hay bales shall be under the direct supervision of the site contractor who shall employ the best management practices to control storm water discharges and to prevent erosion and sedimentation to otherwise prevent pollution, impairment, or destruction of wetlands or watercourses. Erosion controls are to be inspected by the applicant or agent weekly and after rains and all deficiencies must be remediated with twenty-four hours of finding them.
6. The applicant shall take all necessary steps to control storm water discharges to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and watercourse.
7. Organic Landscaping practices are recommended as described by the Northeast Organic Farming Association.
8. All plants proposed in regulated areas must be non-invasive and native to North America.
9. Trees to remain are to be protected with tree protection fencing prior to construction commencement.
10. The bottom of all storm water retention structures shall be placed no less than 1 foot above seasonal high groundwater elevation.
11. The applicant shall immediately inform the Conservation Department of problems involving sedimentation, erosion, downstream siltation or any unexpected adverse impacts, which development in the course or are caused by the work.
12. Any material, man-made or natural which is in any way disturbed and/or utilized during the work shall not be deposited in any wetlands or watercourse unless authorized by this permit.
13. A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.

Ms. Krynicki reviewed a request to rebuild a garage over the existing footprint within the 30-foot upland review area. The property owners will be eliminating the storage portion of the garage. The wetland was recently flagged. The wetland is lawn so a 15-foot planting buffer will be required and as well as removal of the bamboo within 10 feet from the garage and the installation of a barrier.

Motion to allow staff to issue an administrative approval to rebuild garage over existing footprint with conditions.

Motion: **Shea** **Second:** **Belzer**
Ayes: **Shea, Belzer, Davis, Porter, Washburn**
Nayes: **None** **Abstentions:** **None** **Vote:** **5:0:0**

- b. **11 Great Marsh Road:** Request to modify Permit #WPL-9114-12 for changes to patio location and surface, driveway modification and landscaping additions.

Ms. Krynicki reviewed proposed modifications to Permit #WPL-9114-12 for changes to the patio location and surface, driveway modification and landscaping additions.

Motion to approve proposed modifications to Permit #WPL-9114-12.

Motion: **Washburn** **Second:** **Belzer**
Ayes: **Washburn, Belzer, Davis, Porter, Shea**
Nayes: **None** **Abstentions:** **None** **Vote:** **5:0:0**

- c. **20 Hyde Lane:** Request for administrative approval to extend existing dry-laid stonewall into the 30-foot upland review area.

Ms. Krynicki reviewed a request to extend an existing dry-laid stonewall into the 30-foot upland review area.

Ms. Mozian noted this was supported by staff in this particular instance because the grade where the wall is going is higher than the culvert and the watercourse.

Motion to allow staff to issue an administrative approval with conditions to extend an existing dry-laid stonewall into the 30-foot upland review area.

Motion: **Shea** **Second:** **Washburn**
Ayes: **Shea, Washburn, Belzer, Davis, Porter**
Nayes: **None** **Abstentions:** **None** **Vote:** **5:0:0**

- d. **24 Pequot Trail:** Request to amend Resolution #IWW,WPL/E-9716-14 to retain existing impervious patio around proposed pool.

Ms. Krynicki reviewed a request to amend Resolution #IWW,WPL/E-9716-14 to retain the existing impervious patio around the proposed pool. She said the patio would be pitched toward the bioswale plantings so runoff would still be treated.

Motion to amend Resolution #IWW,WPL/E-9716-14 to maintain the existing impervious patio.

