MINUTES WESTPORT CONSERVATION COMMISSION FEBRUARY 18, 2015

The February 18, 2015 of the Westport Conservation Commission was called to order at 7:00 p.m. in Room 201 of the Westport Town Hall.

ATTENDANCE

Commission Members:

W. Fergus Porter, Chair Pat Shea, Esq., Vice-Chair Anna Rycenga, Secretary Robert Corroon 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 February 18, 2015 Public Hearing of the Westport Conservation Commission pursuant to Section 1-225 of the Freedom of Information Act.

Alicia Mozian

Conservation Department Director

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

Ms. Mozian announced that the continuation of the public hearing for the **1595 Post Road East** application was postponed to March 18, 2015. This postponement was clocked with the Town Clerk.

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

1. Receipt of Applications

Ms. Mozian stated there was one application to receive:

79 Newtown Turnpike: Application #IWW,WPL/E-9964-15 for additions to building and associated site improvements. Work is within the WPLO area of an unnamed wetland.

Motion to receive 79 Newtown Turnpike.

Motion: Rycenga Second: Shea Ayes: Rycenga, Shea, Corroon, Davis, Porter, Washburn

Nayes: None Abstentions: None Vote: 6:0:0

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

Ms. Mozian stated there are no violations to report. Staff is awaiting submission of an application to legalize some activity at **18 Grassy Plains Road.** An outside consultant has been hired by staff to assist in the analysis of that application.

3. Approval of January 21, 2015 meeting minutes.

The January 21, 2015 meeting minutes were approved with some minor spelling corrections.

Motion to approve with minor spelling corrections.

Motion: Rycenga Second: Washburn

Ayes: Rycenga, Washburn, Corroon, Davis, Porter

Nayes: None Abstentions: Shea Vote: 5:0:1

4. Other Business

a. Review of Standard Swimming Pool Conditions

The Commission and staff reviewed the Standard Swimming Pool Condition established by the Commission in 2008.

Public Hearing: 7:15 pm, Room 201/201A

1. 11 Owenoke Park: Application #WPL-9943-15 by Barr Associates LLC on behalf of 11 Owenoke Park LLC for demolition of existing and construction of a new residence with attached garage, patio, mechanical units and modified driveway. Work is within the WPLO area of the Saugatuck River.

Mel Barr presented the application on behalf of the property owner. He explained that the property is partly in the V zone and the house will be built to V zone standards on piers with breakaway walls. The project will introduce stormwater infiltration. There is a new driveway loop to provide more parking and avoid having to back onto the road. Sediment and erosion controls include silt fencing,

mud tracking pad and stockpile area. The property is connected to public water and sewer. The fuel source has not been determined yet. The Engineering Department says it complies with water quality management standards. The Flood and Erosion Control Board approved the application on February 5, 2015.

Ms. Krynicki stated that the seawall is located in the VE zone. The vegetated buffer behind the seawall is very important for the wall stability. The driveway and walkway are permeable and will remain permeable.

Mr. Porter noted the existing mature tree on the southwest corner of the property should be shown with tree protection measures added.

Mr. Davis stated the vegetation on the east side of the property should also be protected.

Ms. Mozian stated a planting plan should be submitted detailing all the existing vegetation as well as the biofiltration swale.

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

Motion: Shea Second: Rycenga Ayes: Shea, Rycenga, Corroon, Davis, Porter, Washburn

Nayes: None Abstentions: None Vote: 6:0:0

<u>Findings</u> 11 Owenoke Park #WPL 9943-15

1. **Application Request:** The Applicant is requesting to demolish an existing home and to construct a new residence and associated site improvements. The project site is located within the WPLO jurisdictional boundary and the 25 year floodplain of the Saugatuck River.

2. Plans reviewed:

- a. "Existing Conditions Plot Plan prepared for 11 Owenoke Park, LLC, 11 Owenoke Park, Westport, CT", Scale: 1"=10', dated November 4, 2013, prepared by Leonard Surveyors, LLC
- b. Site Plan, Details & Notes, 11 Owenoke Park, LLC, 11 Owenoke Park, Westport, CT", Scale: 1"-10',
- c. Architectural Plans entitled "Renovations to Cross Residence, Westport, CT (9 sheets), dated December 12, 2014 and last revised to January 13, 2015, prepared by Jim Denno Design.

3. Facts Relative to this application:

- a. Permits and Applications: WPL 8225-07 for house renovations and plantings
- b. WPLO: The majority of this property is located below elevation 9.0 NGVD and within the WPLO.
- c. Inland Wetlands and Watercourses: No inland wetlands or watercourses are located at the site.
- d. <u>100-Year Floodplain:</u> The entire property <u>is</u> located within the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The 100-year base flood elevation for the AE Zone is 13' NGVD and the VE Zone elevation is at elevation 14' NGVD.
- e. <u>Aquifer Protection Zone:</u> The property <u>is</u> located within the Aquifer Protection Zone identified as Fine-grained stratified drift.
- f. <u>Coastal Area Management Zone:</u> The project <u>is</u> located within the Coastal Area Management Zone. The coastal resources are "Coastal Flood Hazard Area", "Tidal Wetlands", "Nearshore Waters", and "Shellfish Areas".
- q. Zoning District: The property is located within zoning district "A" (minimum lot size 0.5 acre).
- h. Sewage Disposal: The property is serviced by a public sanitary sewer.

4. Waterway Protection Line Ordinance:

Section 148-9 of the Waterway Protection Line Ordinance states that the 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 ecosystem of the waterway, including but not

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limited to impact on ground and surface water, aquifers, plant and aquatic life, nutrient exchange and supply, thermal energy flow, natural pollution filtration and decomposition, habitat diversity, viability and productivity and the natural rates and processes of erosion and sedimentation.

A tidal wetland boundary is indicated on the Applicant's plans. Much of this mapped area is a healthy stand of low-marsh tidal wetland vegetation (*Spartina alternifolia*) and is located just below the Mean High Water line along the property perimeter. Nearly all portions of the property that are located landward of an existing seawall are residentially developed. Existing roof gutters from the residence as observed from a previous site inspection by staff discharge to the subsurface adjacent to the residence.

The site soils have formed primarily in glacial meltwater sediments of sand and gravel. The top of the seawall running in an easterly/westerly direction is elevated above the existing ground elevation. Due to this existing condition and the sand and gravel subsoils, it is likely that little to no surface runoff from most storms (smaller storms) reaches the adjacent waterways as overland flow, as the stormwater likely settles landward of this sea wall and infiltrates into the soil.

The potential for the proposed project to have an adverse impact on the preservation of natural resources and the ecosystem of the adjacent waterways primarily is limited to stormwater quality impacts. The project calls for an increase in impervious surfaces from 36.22% to 38.61%, and significantly over the target percentage of 25% as recommended by the Connecticut Stormwater Quality Manual (2004).

The building coverage is increasing by 174 s.f. which is directly attributable to the three (3) new entryways that need to go up to elevation 15.0' in the VE Flood Zone. The three sets of porches/landings and steps alone comprise about 306 s.f. and are needed for safe ingress and egress. The driveway is increasing by 35 s.f. in order to create a "loop drive" for a safe turn around area with additional guest parking area.

As the site is nearly level, the Commission finds the drainage from this project could experience water quality improvement through surface biofiltration and could be an enhancement over the existing subsurface discharge that is proposed. High level overflow from the subsurface galleries to a biofiltration swale should be considered.

A swale running in a northerly/southerly direction on the easterly property line appears to be a good location as the topography in this area is naturally lower.

The buffer planting in the vicinity of the retaining wall will serve as an erosion control measure. The shoreline is susceptible to erosion and periodic flooding. The Commission finds the applicant will continue with the plan for plantings directly adjacent to the wall to stabilize the area. Native plantings that do not require fertilization because of the close proximity to the tidal wetland should be specified. The Commission finds that all mature trees with 2" caliper or greater serve as erosion control mechanisms and water quality features and should be protected. Silt fence relocations and tree protection measures should be utilized during the construction phase of the project.

A perimeter silt fence is proposed for use during construction and with relocation to protect trees as warranted, it should provide adequate protection if properly maintained as excavation and grading requirements for this project will be minimal.

The Flood and Erosion Control Board approved the application with conditions on February 4, 2015.

Conservation Commission
TOWN OF WESTPORT
Conditions of Approval
Application # WPL 9943-15
Street Address: 11 Owenoke Park
Assessor's: Map D 03 Lot 168

Date of Resolution: February 18, 2015

Project Description: For the demolition of existing and construction of a new residence with attached garage, patio, mechanical units and modified driveway. Portions of the work are within the 25 year floodplain, the WPLO area of Gray's Creek.

Owner of Record: 11 Owenoke Park LLC

Applicant: Barr Associates, LLC

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 9943-15** 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.
- Organic Landscaping practices are recommended as described by the Northeast Organic Farming Association.
- 8. All plants proposed in regulated areas must be non-invasive and native to North America.
- 9. Trees to remain are to be protected with tree protection fencing prior to construction commencement.
- **10.** The bottom of all storm water retention structures shall be placed no less than 1 foot above seasonal high groundwater elevation.
- **11.** The applicant shall immediately inform the Conservation Department of problems involving sedimentation, erosion, downstream siltation or any unexpected adverse impacts, which development in the course or are caused by the work.
- **12.** Any material, man-made or natural which is in any way disturbed and/or utilized during the work shall not be deposited in any wetlands or watercourse unless authorized by this permit.
- **13.** A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.
- **14.** Conformance to the Flood and Erosion Control Board Conditions of Approval of the meeting of February 4, 2015.

SPECIAL CONDITIONS OF APPROVAL

- **15.** Conformance to the plans entitled:
 - a. "Existing Conditions Plot Plan prepared for 11 Owenoke Park, LLC, 11 Owenoke Park, Westport, CT", Scale: 1"=10', dated November 4, 2013, prepared by Leonard Surveyors, LLC
 - b. "Site Plan, Details & Notes, 11 Owenoke Park, LLC, 11 Owenoke Park, Westport, CT", Scale: 1"- 10, dated December 17, 2014, prepared by Chappa and Paolini Engineers, LLC

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- c. Architectural Plans entitled "Renovations to Cross Residence, Westport, CT (9 sheets), dated December 12, 2014 and last revised to January 13, 2015, prepared by Jim Denno Design.
- **16.** Walkways and driveways to remain permeable in perpetuity with said restrictions placed on the land records prior to the issuance of a Certificate of Compliance.
- 17. A planting plan that includes native, salt and wind tolerant species for a plantings along the existing seawall and the proposed overflow bioswale on the easterly property line shall be submitted to the Conservation Department staff for review and approval prior to the issuance of a zoning permit. Said plan shall also locate existing mature trees on southwest corner of property as well as 2" caliper trees along easterly property line. Proposed bioswale shall not result in disturbance of existing trees.
- **18.** Submission of a performance bond estimate in the amount that includes the cost of plants and erosion control materials to be submitted to the Conservation Department prior to the issuance of a zoning permit.
- **19.** A construction detail of the driveway to ensure it is permeable shall be submitted for review and approval to the Conservation Department prior to the issuance of a zoning permit.
- 20. Silt fence shall be relocated as necessary to protect existing mature trees over 2" in caliper.

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: Rycenga Second: Davis

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

Nayes: 0 Abstentions: 0 Vote: 6:0:0

2. 5 Yankee Hill Road: Application #WPL-9954-15 by Barr Associates LLC on behalf of Rochelle Kassen for demolition of an existing and construction of a new residence and pool with modified driveway and new site amenities. A portion of the work is within the WPLO area of Gray's Creek.

Mel Barr presented the application on behalf of the property owner. He stated the site is currently fully developed with pool, patio and spa and a fairly large driveway with a septic system. There are wetlands across the street from the site. He noted that approximately 20% of the site is in the WPLO and 1/3 of the site is within the 100 year flood zone. Mr. Barr presented before and after plans showing how much will be removed from the WPLO area including a significant portion of the driveway and a small part of the house. The proposal calls for a new house, pool and patio. The house is located fully outside the 100 year flood and connected to sewer. The pool equipment pad will be elevated above the base flood elevation. A biofiltration buffer will be installed parallel to the driveway on the south side. The pool is being moved over what is now patio. The pool patio is not designed to be pervious for safety reasons. The drainage plan calculates for full impervious coverage including the pool. There will be new drainage galleries. The grading around the pool will act as a swale behind the pool. The pool is outside the WPLO area. There are grade changes proposed because the house and driveway shifted. There will be 4 feet of fill in the WPLO area and surrounded by a retaining wall. Mr. Barr highlighted the permeable versus the impermeable areas on the site.

Ms. Krynicki said that she was satisfied with the biofiltration now that she sees the amount of green around the courtyard and the planting buffer on the downhill side of the driveway.

Mr. Barr stated the excavated material from the cellar will most likely be used on site to build up the courtyard. He offered that the swale behind the pool could be planted.

Ms. Mozian noted the Flood and Erosion Control Board approved the application at its February 4, 2015.

Kevney Moses, LA with Wesley Stout Associates, stated that they will be using Geo-Thermal for the heating. It will be located under the courtyard. The pool will be heated by propane. The wells are to be 5 feet below grade so they can be driven over.

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

Motion: Shea Second: Corroon Ayes: Shea, Corroon, Davis, Porter, Rycenga, Washburn

Nayes: None Abstentions: None Vote: 6:0:0

Findings 5 Yankee Hill Road #WPL 9954-15

1. Application Request:

The Applicant is requesting construction of a new single family residence with an in-ground swimming pool and patio, a modified driveway and new site amenities. Drainage for the first inch of storm water runoff from a twenty five year storm event is being provided.

Portions of the proposed pool fencing, an impervious driveway as well as the biofiltration plantings and the grading and retaining wall for the driveway are within the WPLO. The driveway courtyard is also proposed to be impervious with subsurface infiltration proposed to capture the runoff. A small portion of the courtyard is within the WPLO. The remaining site improvements are located outside the WPLO boundary including a pool patio also proposed to be impervious.

The site lies within the 100 year floodplain of Zone AE Elevation 11.0'. The existing septic system is to be abandoned and the property is to be served by municipal water and sewer.

Based on the submitted calculations the total lot coverage for the proposed site development proposal will be 22.3% or 13,500 s.f.

Total lot area is 60,620 s.f. or 1.3 acres.

2. Plans reviewed:

- a. "Zoning/ Location Survey, Map of Property Prepared for Michael Kassen and Shelly Kassen, Westport, Connecticut", Scale: 1" = 30', dated, prepared by Walter H. Skidd- Land Surveyor LLC
- b. Site Plan Details & Notes; Michael & Shelly Kassen, Westport, CT", 5 Yankee Hill Road, Westport, Connecticut, Scale: 1"=20'-0", dated January 13, 2015, prepared by Chappa and Paolini Engineers, LLC
- c. Architectural Plans entitled: "Kassen Residence, 5 Yankee Hill Road Westport, CT", (5 sheets), dated January 15, 2015, prepared by Shope Reno Wharton Architects

3. Facts Relative to this application:

a. Permits and Applications:

WPL/E 6263-2000 For an inground pool

- **b.** <u>WPLO</u>: The lower southwest corner of this parcel is below elevation 9.0' and within the WPLO jurisdiction.
- c. <u>Inland Wetlands and Watercourses:</u> No inland wetlands or watercourses are located at the site.
- d. Physical and Chemical Properties of the Soil: The USDA NRCS identifies the on-site soils as Ninigret-Urban land complex. The Ninigret-Urban land complex is a coarse-loamy eolian deposits over sandy and gravelly glaciofluvial deposits derived from granite and or/schist and/or gneiss. These soils do not meet hydric criteria.
 - These soil types are suitable for building construction.
- e. <u>100-Year Floodplain:</u> A portion of the property <u>is</u> located within the 100-year floodplain as designated by the Federal Emergency Management Agency (FEMA). The AE 100-year base flood elevation is 11 feet above mean sea level.
- **f.** Aquifer Protection Zone: The property is not located within the Aquifer Protection Zone, but is located within the aquifer recharge area defined as fine-grained stratified drift.

- g. <u>Coastal Area Management Zone</u>: The project <u>is</u> located within the Coastal Area Management Zone. The coastal resources is identified as "Shorelands". Shorelands function as immediate sources of upland runoff contributing to coastal drainage, serve as immediate sources of upland sediments, provide scenic vistas, and have high development and redevelopment potential.
- h. Zoning District: The property is located within zoning district "A A"
- **i.** <u>Sewage Disposal:</u> The property is serviced by a public sanitary sewer.
- j. Landscape Position: Backslope with linear/linear land surface shape.

4. Waterway Protection Line Ordinance:

Section 148-9 of the Waterway Protection Line Ordinance states that the 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 ecosystem of the waterway, including but not limited to impact on ground and surface water, aquifers, plant and aquatic life, nutrient exchange and supply, thermal energy flow, natural pollution filtration and decomposition, habitat diversity, viability and productivity and the natural rates and processes of erosion and sedimentation.

The Commission finds that the potential for the portion of the driveway and grading proposed within the WPLO to have an adverse impact on the preservation of natural resources and the ecosystem of the adjacent waterways primarily is limited to nutrient loading and storm water quality impacts.

Water quality is the end result of the individual actions of all the "neighbors" in a watershed.

The subject property is located on the north side of Yankee Hill Road.

The proposed driveway and drainage have been oriented so that the two mature trees at the front of the property will remain. The driveway at the front of the property is to be impervious due to the proposed grading. To provide water quality for this proposal, the driveway grading is directed to a bio-filtration planting buffer on the west side of the drive.

The filled area of the courtyard and retaining wall within the WPLO is proposed to be constructed to be impervious with subsurface infiltration proposed to handle the runoff. Keith Wilberg, of the Engineering report has stated he approves this method of stormwater retention and that the drainage appurtenances has the capacity to include this area. The courtyard will have a trench drain which directs stormwater to the subsurface infiltration units. The low impact development concept is to capture runoff as close to the source as possible in numerous locations throughout the site. The Commission finds that infiltration of stormwater into pervious pavers and infiltration to subsurface units is the same quality stormwater treatment method and meets the intention of an LID component. An impervious pool patio located outside the WPLO will be directed to a subsurface infiltration system with the overflow also directed to a bioswale. The Commission finds that both of these biofiltration units will handle more stormwater runoff volume and and be capable of more efficient biofiltration should they be enlarged.

A pool fence on the westerly side of the property is being designed to be free flowing mesh as it lies within the WPLO boundary and the 100 year floodplain boundary.

All other site improvements and amenities for this project are located outside the Waterway Protection Line Ordinance boundary and are eligible for an exemption.

Staff along with the Engineering Department met several times to review the proposed design plan with the applicant and the applicants' full design team including the architect, the engineer and the landscape designer, prior to the submission of this application package.

The suggestions and plan changes as requested at those meetings have been made to the satisfaction of the Conservation Department and are reflected on the site plan.

As for the exempt activities, all drainage provisions have been reviewed and approved by the Engineering Department. Subsurface infiltration structures are proposed to mitigate potential stormwater quality impacts. According to the submitted runoff computations, these structures have

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been sized to capture and infiltrate one inch of runoff. The one-inch sizing criteria is appropriate and in accordance with the Connecticut Stormwater Quality Manual (2004).

A perimeter silt fence is proposed for use during construction and should provide adequate protection if it is properly maintained. Existing vegetation at the perimeter of the parcel is proposed to remain.

The Commission finds a construction anti tracking pad will be identified on the site plan as well as the proposed construction driveway as it will more than likely be the existing drive versus the proposed drive.

The structure will be built to FEMA standards and the proposed courtyard for parking will be pervious.

The heating fuel source for this property is to be geothermal.

Basement elevations are proposed to be above the high groundwater table and a large portion of the proposed structure will be slab and/or crawl space construction. Any footing drain discharge will be handled through on site infiltration as designed by the site engineer.

For all of the reasons enumerated above and with the proposed minor revisions suggested, the Commission finds that the project will not adversely the natural resources and ecosystem of the waterway, including but not limited to impact on ground and surface water, aquifers, plant and aquatic life, nutrient exchange and supply, thermal energy flow, natural pollution filtration and decomposition, habitat diversity, viability and productivity and the natural rates and processes of erosion and sedimentation as protected under the Waterway Protection Line Ordinance.

Conservation Commission
TOWN OF WESTPORT
Conditions of Approval
Application # WPL 9954-15
Street Address: 5 Yankee Hill Road
Assessor's: Map D 04 Lot 006
Date of Resolution: February 18, 2015

Project Description: For the demolition of an existing and the construction of a new residence with modified driveway and new site amenities. Portions of the work is within the Waterway Protection Line Ordinance and the 25 year floodplain of Gray's Creek.

Owner of Record: Rochelle Kassen Applicant: Barr Associates LLC

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 9954-15** 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.
- Organic Landscaping practices are recommended as described by the Northeast Organic Farming Association.
- 8. All plants proposed in regulated areas must be non-invasive and native to North America.
- 9. Trees to remain are to be protected with tree protection fencing prior to construction commencement.
- **10.** The bottom of all storm water retention structures shall be placed no less than 1 foot above seasonal high groundwater elevation.
- **11.** The applicant shall immediately inform the Conservation Department of problems involving sedimentation, erosion, downstream siltation or any unexpected adverse impacts, which development in the course or are caused by the work.
- **12.** Any material, man-made or natural which is in any way disturbed and/or utilized during the work shall not be deposited in any wetlands or watercourse unless authorized by this permit.
- **13.** A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.
- 14. Conformance to the conditions of the Flood and Erosion Control Board of February 4, 2015.

SPECIAL CONDITIONS OF APPROVAL

- **15.** Conformance to the plans entitled:
 - a. "Zoning/ Location Survey, Map of Property Prepared for Michael Kassen and Shelly Kassen, Westport, Connecticut", Scale: 1" = 30', dated June 27, 2014, prepared by Walter H. Skidd- Land Surveyor LLC
 - b. Site Plan Details & Notes; Michael & Shelly Kassen, Westport, CT", 5 Yankee Hill Road, Westport, Connecticut, Scale: 1"=20'-0", dated January 13, 2015 and last revised to February 17, 2015, prepared by Chappa and Paolini Engineers, LLC
 - **c.** Architectural Plans entitled: " *Kassen Residence, 5 Yankee Hill Road Westport, CT",* (5 sheets), dated January 15, 2015, prepared by Shope Reno Wharton Architects
- **16.** Revision to the plan to include an anti tracking pad or a construction entrance with tracking pad shall be submitted to the Conservation Department for review and approval prior to the issuance of a zoning permit.
- **17.** A detailed landscape plan showing an enlarged bioswale for the driveway and the pool utilizing native plantings shall be submitted to the Conservation Department for review and approval prior to the issuance of a zoning permit.
- **18.** All excess construction fill is to be removed from site.
- **19.** A performance bond for the plantings and the erosion and sediment control shall be submitted to the Conservation Department prior to the issuance of a zoning permit.

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: Shea Second: Porter

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

Nayes: 0 Abstentions: 0 Vote: 6:0:0

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5. 1595 Post Road East: Continuation of Application #IWW,WPL/E-9892-14 by 1595 Post Equities LLC for approval of regulated activities associated with replacement of the existing hotel and associated uses, with a single building with 200 apartments and covered parking below the building. Work is proposed outside the established IWW upland review area and the WPLO area.

The hearing on this application was postponed to the March 18, 2015 Public Hearing.

Work Session II:

1. Election of Officers

The election of officers was tabled to the May 20, 2015 meeting.

Motion: Shea Second: Washburn

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

Nayes: None Abstentions: None Vote: 6:0:0

- 2. Other business.
 - a. Ms. Mozian noted possible changes to the State Stormwater Management Regulations.

The February 18, 2015 Public Hearing adjourned at 8:35 p.m.

Motion: Shea Second: Porter Ayes: Shea, Porter, Corroon, Davis, Rycenga, Washburn

Nayes: None Abstentions: None Vote: 6:0:0