



CONSERVATION COMMISSION
TOWN HALL – 110 MYRTLE AVENUE
WESTPORT, CT 06880
P 203.341.1170 F 203.341.1088

WESTPORT™

**DRAFT
MINUTES
WESTPORT CONSERVATION COMMISSION
MARCH 20, 2024**

The March 20, 2024 Public Hearing of the Westport Conservation Commission was called to order at 7:00 p.m. in the Auditorium of the Westport Town Hall.

ATTENDANCE

Commission Members:

Tom Carey, Chair
Josh Lewi, Vice Chair
Rory Murphy, Secretary
Patrick Ryll, Sergeant at Arms
Diana McDowell

Staff Members:

Colin Kelly, Conservation Director
Andrew Hally, Conservation Analyst
Susan Voris, Admin. Asst. III

This is to certify that these minutes and resolutions were filed with the Westport Town Clerk within 7 days of the DATE Public Hearing of the Westport Conservation Commission pursuant to Section 1-225 of the Freedom of Information Act.

Colin Kelly
Conservation Director

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. - **NONE**

Public Hearing: 7:00 p.m.

All members visited the sites in preparation for the hearing.

- 1. Parker Harding Plaza & Jesup Green:** Application #WPL-11805-23 Keith S Wilberg, Town Engineer, on behalf of Town of Westport to modify the approval of Permit #WPL-11805-23, which granted at the October 18, 2023 meeting of the Conservation Commission. The work at Parker Harding Plaza remains the same but additional parking spaces are now proposed at Jesup Green. The proposed activity is within the WPLO area of the Saugatuck River.

Keith Wilberg, PE, Town Engineer, presented the application on behalf of the Town of Westport. This application is a modification of the approval of the Parker Harding Plaza redesign approved by Flood and Erosion Control Board and the Conservation Commission in October 2023. He gave a quick overview of that approval. He noted the Planning & Zoning Commission reviewed the proposal under a Section 8-24g review and noted concerns about losing 40 parking spaces within the downtown area and continued the application. Since a redesign was not possible within the time constraints, the Town withdrew the application from P&Z. This application is a modification of the original application to add 42 parking spaces at Jesup Green next to a municipal parking lot between the police station and the library. This increased parking would provide employee parking and serve restaurants and businesses in the area. Adjacent to the existing municipal lot, there will be a retaining wall with a maximum height of 3.5 feet. The only activity that is within the WPLO area is minimal grading. As the Conservation Commission looks at water quality under the WPLO, they discussed with staff what kind of mitigation measures should be taken. The project is only 300 feet from the Saugatuck River. They will be directing the runoff from the exiting parking to the catchbasins in the street and into drainage in the lower lot of Jesup Road. Based on discussion with staff and the engineering practices show that providing a raingarden or swale would not work on this slope. It was decided to allow the overland flow of stormwater over the grass from the new parking area. Mr. Wilberg discussed the tree removal. There are 4 trees that will have to be removed. Another two trees they are going to try to move and they are also working with Ben Sykas, Tree Warden to provide tree protection or tree wells to protect the two large trees that are on the lower side of the proposed parking area.

Mr. Hally asked Mr. Wilberg to elaborate on the grading that will take place.

Mr. Wilberg stated there is 1,500 s.f. of grading that occurs within the WPLO jurisdiction. Normally this activity would be something, Mr. Kelly and he would be able to sign off on but because it is a Town project, they are keeping the process open for public comment.

Mr. Carey asked for public comments. There were no public comments.

Motion to close the public hearing.

Motion:	Lewi	Second:	Murphy
Ayes:	Lewi, Murphy, Carey, McDowell, Ryll		
Nayes:	None	Abstentions:	None
		Vote:	5:0:0

**Town of Westport
Conservation Commission
FINDINGS
Amendment to Permit #WPL-11805-23
Address: 20 Jesup Road
Additional Parking for Parker Harding Plaza at Jesop Green
Jesup Green Parcel Assessor's Map: C09 Tax Lot: 130
Public Hearing: March 20, 2024**

1. **Application Request:** The applicant is requesting to amend the permit #WPL-11805-23 to include proposed development of additional parking to serve Parker Harding Plaza, on a separate parcel at Jesop Green. Grading will occur within the Waterway Protection Line (elevation 9') of the Saugatuck River.
2. **Plans reviewed:**
 - a. **Jesup Green Site Plan**, prepared for Town of Westport, Jesup Road Westport, Connecticut, prepared by Town of Westport Department of Public Works Engineering Division, dated February 15, 2024, Scale: 1" = 20'.
 - b. **Jesup Green Grading Plan**, prepared for Town of Westport, Jesup Road Westport, Connecticut, prepared by Town of Westport Department of Public Works Engineering Division, dated February 15, 2024, Scale: 1" = 20'.
3. **Past Permits:** **WPLE-11267-21** - Installation of Turf at Levitt Pavilion
WPL-10798-19 – Construction of Annex building for Library w/ Parking
WPL-10291-17 – Library Renovation
WPL-10405-17 – Generator and Propane Tank
WPL-8522-12 – Construction of Levitt Pavilion
4. **Property Description:**
 - a. **Location of 25-year flood boundary:** 9 ft. contour interval. The WPL is established 15 linear feet (LF) from the 9 ft. contour interval.
 - b. **Property is situated in Flood Zones AE (el. 10')** as shown on F.I.R.M. Panel 09001C0413G Map revised to July 8, 2013.
 - c. **Lot Area:** 459,558 sq. ft. (10.55 acres)
 - d. **Jesup Green Project Area:** ~0.5 acres
 - e. **Area of Disturbance within the WPL:** 1,500 sq.ft.
 - f. **Zoning:** Property is located in Zone AA
5. **Aquifer:** The property is outside of the Aquifer Protection Overlay Zone. The property is underlain by Saugatuck River Aquifer which is a coarse-grained stratified drift aquifer.
6. **Coastal Area Management:**

The subject property is located within the Coastal Area Management (CAM) zone. The coastal resources are identified as: **Estuarine Embayments, Nearshore Waters, Shellfish Area and Coastal Flood Hazard Area.** Estuarine Embayments are protected coastal bodies of water with an open connection to the sea in which saline sea water is measurably diluted by fresh water including tidal rivers, bays, lagoons and coves. Estuarine embayments facilitate high biological productivity, provide significant habitat for shellfish, finfish and waterfowl, serve as spawning and feeding grounds for a wide variety of fish species and various aquatic fauna. Nearshore Waters are those waters and their substrates lying between mean high water and a depth approximately by the ten-meter contour. Shellfish Area areas support an important source of food, provide recreational shellfishing opportunities, provide economic opportunities for the shellfish industry, and provide employment through the shellfish industry. Coastal Flood Hazard Areas are defined as those land areas inundated during coastal storm events. A-zones are subject to still-water flooding during "100-year" flood events. Coastal Hazard Areas serve as flood storage areas. They are, by their nature, hazardous areas for structural development, especially residential type uses.

7. **Proposed Storm Water Treatment:** The applicant does not propose stormwater treatment for the proposed development.
8. **Discussion:**

The WPL Ordinance requires that the Conservation Commission consider the following when reviewing an application:

“ 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 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 project aims to create 45 additional parking spaces to serve Parker Harding Plaza. As the lot previously-approved reconfiguration proposed to reduce existing parking at the Parker Harding parcel, the amendment to the permit proposes to increase parking by expanding the existing lot west of the Police station. This area is currently maintained as a lawn portion of Jesup Green. To account for the elevation change between the existing parking west of the Police station and the existing parking by the riverfront, the project proposes a retaining wall and regrading the slope at elevation 10'. The existing sidewalk to the driveway will be reconfigured to accommodate the lot. The parking lot surface will be impervious pavement.

Only a portion of the overall site grading lies within the WPLO boundary (elevation 9' + 15 linear feet) of the Saugatuck River. The Saugatuck River is ~250 ft west of the proposed project area. The paved parking area is outside of the WPL. Most of the proposed disturbance and development is occurring up-gradient of the WPL. The coverage within the WPL will remain as manicured lawn. Coverage upgradient of the WPL will increase by ~13,000-14,000 sq. ft.

Water Quality Considerations:

Overall site runoff from the paved parking areas will sheet flow across the grass portion of Jesup Green towards the adjacent parking lot and eventually discharge into the Saugatuck River.

During the Flood and Erosion Control Board meeting on March 6, 2024, board members discussed the potential need for catch basins within the new lot to capture stormwater runoff from the lot. The catch basins would convey the water to the existing storm drains in the roadway and would discharge through a single outfall, directly into the river. Staff feels allowing the stormwater to sheet flow across the existing grass before discharging is more beneficial to surface water quality of the Saugatuck River than directing runoff to catch basins.

Natural Habitat Considerations:

The Commission references a preliminary review of the State of Connecticut DEEP Natural Diversity Database (NDDDB) for potential presence of state-listed species on or adjacent to the subject property using the EZfile online tool. The review provided results of potential habitat for a threatened species great egret (*Ardea alba*). Since the property is mostly devoid of any contiguous canopy, the project area does not feature the candidate habitat for great egret rookeries. Preferred nesting habitat exists in offsite adjacent forested areas along the Saugatuck River. The Commission requires no further consultation for T&E species or sensitive habitats.

As a part of reconfiguring the green space into parking lot, there will be a permanent loss of lawn and trees. Four trees are proposed to be removed, and two trees are to be relocated to accommodate the development of the lot. The trees proposed for removal or relocation are all outside of the WPL. The Commission finds that the existing trees have limited potential as natural habitat, and the removal of them would have de minimis impacts to habitat within the watercourse corridor. Potential soil erosion and deposition from the proposed grading within the WPL poses the greatest risk of temporary adverse impacts to the nearby aquatic habitats. Standard S&E controls would mitigate those impacts. The disturbed slope within the WPL will be stabilized and seeded with a meadow plant mix. The Commission finds no other potential for adverse impacts within the WPL from the development of the Jesup Green parking lot.

**Conservation Commission
TOWN OF WESTPORT
Conditions of Approval
Amendment to Application #WPL-11805-23
Parker Harding Plaza**

**Jesup Green Parcel Assessor's Map: C09 Tax Lot: 130
Parker Harding Parce Assessor's Map: C10 Tax Lot: 086
Gorham Island Parcel Assessor's Map: C10 Tax Lot 087
Permit Effective Date: October 18, 2023
Date of Amendment: March 20, 2024**

Project Description: to amend permit #WPL-11805-23 to include proposed development of additional parking to serve Parker Harding Plaza, on a separate parcel at Jesup Green. Grading will occur within the Waterway Protection Line (elevation 9') of the Saugatuck River.

Owner of Record: Town of Westport

Applicant: Keith Wilberg, Westport Town Engineer, Department of Public Works

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** the Amendment to Application #WPL-11805-23 with the following conditions:

STANDARD CONDITIONS OF APPROVAL

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. Any on-site dumpster shall be covered at the end of each workday to prevent debris/litter from inadvertently entering surrounding wetlands and/or watercourses.
14. A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.
15. Conformance to the conditions of the Flood and Erosion Control Board **March 6, 2024** including adding additional spot elevations in the rear yard to the site plan prior to issuance of a zoning permit.

SPECIAL CONDITIONS OF APPROVAL

16. Conformance to the plans entitled:
- a. **Limited Property & Topographic Survey** depicting Parker Harding Plaza, Westport, CT, prepared for Town of Westport, prepared by DiMarzo & Berczky, dated December 6, 2022, Scale: 1" = 20', ROW 1 of 2.
 - b. **Limited Property & Topographic Survey** depicting Parker Harding Plaza, Westport, CT, prepared for Town of Westport, prepared by DiMarzo & Berczky, dated December 6, 2022, Scale: 1" = 20', ROW 2 of 2.
 - c. **Overall Site Plan**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: 1" = 40', Sheet CS100.
 - d. **Site Plan I**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: 1" = 20', Sheet CS101.
 - e. **Site Plan II**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: 1" = 20', Sheet CS102.
 - f. **Site Details I**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14 2023, Scale: NTS, Sheet CS501.
 - g. **Site Details II**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: NTS, Sheet CS502.
 - h. **Overall Planting Plan**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: 1" = 40', Sheet LP100.
 - i. **Planting Plan I**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: 1" = 20', Sheet LP101.
 - j. **Planting Plan II**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: 1" = 20', Sheet LP102.
 - k. **Planting Notes & Details**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: NTS, Sheet LP501.
 - l. **Overall Site Plan**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Scale: 1" = 40', Sheet CS100.
 - m. **Parker Harding Plaza Soils Report and Geotechnical Investigation Findings**, prepared by Langan, dated September 14, 2023.
 - n. **Conceptual Phasing Plan**, Reconnecting the Riverfront: Parker Harding Plaza, Westport, CT, prepared by Langan, dated: March 16, 2023 and revised to September 14, 2023, Sheet FG01.
 - o. **Stormwater Management Memo**, Parker Harding Plaza, Westport, CT, prepared by Langan, dated September 14, 2023
- Jesup Green Parking Lot Approval**
- p. **Jesup Green Site Plan**, prepared for Town of Westport, Jesup Road Westport, Connecticut, prepared by Town of Westport Department of Public Works Engineering Division, dated February 15, 2024, Scale: 1" = 20'.
 - q. **Jesup Green Grading Plan**, prepared for Town of Westport, Jesup Road Westport, Connecticut, prepared by Town of Westport Department of Public Works Engineering Division, dated February 15, 2024, Scale: 1" = 20'.
17. Conformance to all other conditions of approval for the previous application #WPL-11805-23 approved on October 18, 2023.
18. Any future deviation from this plan including, but not limited to a change in the footprint, an increase in the parking space, drainage improvements, landscaping, tree removal, etc., shall require review and approval by Conservation Department Staff. Staff retains the right to return this issue to the Conservation Commission if the permittee proposes a significant change in scope or impact.

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: Lewi **Second:** Murphy
Ayes: Lewi, Murphy, McDowell, Ryll, Carey
Nays: 0 **Abstentions:** 0 **Vote:** 5:0:0

2. **50 & 56 Sylvan Road North:** Application #IWW/M-11884-24 by Richard Benson on behalf of Sazes Partners, LP and Adin Tooker & Jennifer Salmon Tooker to amend wetland boundary map #B09.

Richard Benson, contract purchaser, presented the application to amend wetland boundary map #B09. He hired Aleksandra Moch to review the wetland boundary on the property. He noted there is piped watercourse that has been determined to be located on 56 Sylvan Road North and with permission, Ms. Moch located the wetland boundary on that property.

Mr. Ryll asked how much of the watercourse is piped.

Mr. Benson stated that it is not a significant portion. He noted the stream flows north from the Saugatuck River towards Lees Pond.

Mr. Hally noted Mary Jaehnig reviewed the proposed wetland boundary on behalf of the Town of Westport. She agreed with the proposed boundary. There is a 1900 s.f. reduction of wetlands on 50 Sylvan Road North. The piped watercourse was moved and the wetland boundary was identified on 56 Sylvan Road North. He stated there are two soil scientists in agreement on the wetland boundary and recommended approval.

Mr. Carey asked for public comments.

Mr. Hally read an email from Michael Perry of 43 Sylvan Road North, who expressed concerns with drainage, high groundwater and the proposed subdivision. He questioned how wetlands can change.

Motion to close the public hearing.

Motion:	Ryll	Second:	Lewi
Ayes:	Ryll, Lewi, Carey, McDowell, Murphy		
Nays:	None	Abstentions:	None
		Vote:	5:0:0

**Town of Westport
Conservation Commission
FINDINGS
Application #IWW/M-11884-24
50 Sylvan Road North - Assessor's Map: B09 Tax Lot: 009
56 Sylvan Road North - Assessor's Map: B09 Tax Lot: 008
Public Hearing: March 20, 2024**

1. **Application Request:** Richard Benson, on behalf of Sazes Partners, L.P. and Adin Tooker & Jennifer Salmon Tooker, is requesting to amend wetland map #B09 on Lots #008 and #009.
2. **Soil Scientist for Applicant:** Aleksandra Moch, Soil & Wetland Scientist
Soil Scientist for Town of Westport: Mary Jaehnig, Pfizer-Jaehnig Soils, LLC
3. **Plans Reviewed:**
 - a.) **Wetland Delineation**, for the Property Located at 56 Sylvan Road N, Westport, Connecticut, prepared by Aleksandra Moch, Soil & Wetland Scientist, dated February 3, 2024.
 - b.) **Soil Investigation**, for the Property Located at 50 Sylvan Road N, Westport, Connecticut, prepared by Aleksandra Moch, Soil & Wetland Scientist, dated October 10, 2023.
 - c.) **Data Accumulation Plan**, prepared for Sazes Partners, L.P., #50 Sylvan Road North, Westport, Connecticut, prepared by The Huntington Company, LLC, dated November 2, 2023, last revised to February 05, 2024, Scale: 1"=30'.
4. **Past Permits for 50 Sylvan Road:** None
5. **Description of Wetlands**

Soil Investigation, for the Property Located at 50 Sylvan Road N, Westport, Connecticut, prepared by Aleksandra Moch, Soil & Wetland Scientist, dated October 10, 2023.

and

Wetland Delineation, for the Property Located at 56 Sylvan Road N, Westport, Connecticut, prepared by Aleksandra Moch, Soil & Wetland Scientist, dated February 3, 2024.

Wetland soils found on the property at 50 Sylvan Road N

The soil scientist found **no wetland soils** during the site survey.

Non-wetland soils found on the property at 50 Sylvan Road N

Canton and Charlton soils, 8 to 15 percent slopes (60B): This complex consists of gently sloping to moderately sloping, well drained soils intermingled with areas of bare, hard exposed bedrock. The complex is on side slopes and crests of upland hills and ridges. Stones and boulders cover 10 to 35 percent of the surface. Areas are irregular in shape and mostly range from 5 to 40 acres. The complex is approximately 40 percent Canton soils, 20 percent Charlton soils, 20 percent rock outcrops, and 20 percent other soils. The soils and out crops are so intermingled that it was not practical to map them separately.

Wetland soils found on the property at 56 Sylvan Road N

Leicester fine sandy loam (4): This soil occurs on upland drainageways and depression landforms. The parent material consists of melt-out till derived from granite, schist, and gneiss. The drainage class is poorly drained. This Leicester soil has a seasonal high water table at a depth of about 6 inches from fall until late spring. Most areas of this soil are wooded. The seasonal high water table limits this soil for community development; sites for on-site septic systems commonly need extensive filling and require special design and installation. Where suitable outlets are available, footing drains help prevent wet basements. Even when drained, the soil remains wet for several days after heavy rains. Wetness makes this soil poorly suited for trees. The shallow rooting depth to the seasonal high water table causes the uprooting of many trees during windy periods.

Aquents (657): Aquents are altered or disturbed soil areas where the original soil material has been removed, repositioned or fill has been added. These areas are the result of human activities and are typically associated with urban development, earth removal and leveled areas adjacent to some cranberry bogs. Aquent soil areas have seasonal high water tables and are often sparsely vegetated.

Non-wetland soils found on the property at 56 Sylvan Road N

Canton and Charlton soils, 8 to 15 percent slopes (60B): This complex consists of gently sloping to moderately sloping, well drained soils intermingled with areas of bare, hard exposed bedrock. The complex is on side slopes and crests of upland hills and ridges. Stones and boulders cover 10 to 35 percent of the surface. Areas are irregular in shape and mostly range from 5 to 40 acres. The complex is approximately 40 percent Canton soils, 20 percent Charlton soils, 20 percent rock outcrops, and 20 percent other soils. The soils and outcrops are so intermingled that it was not practical to map them separately.

Udorthents, smoothed (308): This component occurs on leveled land and fill landforms.

6. Property Description for 50 Sylvan Road and Facts Relative to the Map Amendment Application:

- a. The existing house was built in 1920. It is served by public sanitary sewer.
- b. The property is 3.00 acres (130,695 sq. ft.) in size; located in Residential Zone AA.
- c. The parcel is shown as located within the Stony Brook watershed (sub regional watershed Basin ID: 7200-31. Stony Brook is located ~1000' to the northeast. The nearest offsite wetlands are associated with a perennial watercourse located on the property at 56 Sylvan Road N. The site drains to the west. The offsite watercourse flows towards its confluence with an impoundment of Stony Brook known as Nash's Pond.
- d. Property is situated in Flood Zone X as shown on F.I.R.M. Panel 09001C0394F Map revised to June 18, 2010.
- e. The property **is not** within the Aquifer Protection Overlay Zone.
- f. Property **is not** within the Coastal Area Management Zone.
- g. The Waterway Protection Line is established 15' from the surveyed wetland boundary and the surveyed underground piped watercourse. The WPLO boundary is shown on the survey.
- h. The wetland area inventoried in the Town's GIS system measures ~1900 sq. ft.
- i. The "Data Accumulation Plan" demonstrates no wetlands or watercourses are recorded on the property at 50 Sylvan Road. The nearest flagged wetland boundary is ~5 feet to the west on the property at 56 Sylvan Road.

7. Discussion:

The applicant submitted a wetland delineation report by Aleksandra Moch, Soil & Wetland Scientist for both 50 and 56 Sylvan Road North. The reports document Ms. Moch's investigations of the soils on each of the sites.

Wetland soils were not found on the property at 50 Sylvan Road North Wetlands soils were found on the property on 56 Sylvan Road North, identified as Leicester fine sandy loam (4) and Aquents (657).

50 Sylvan Road is the subject property. The nearest wetland boundary is located ~5 ft to the west, at 56 Sylvan Road North. The report for 56 Sylvan Road North identifies a partially-piped, perennial watercourse with an outlet on site and an associated wetland area. This watercourse is conveyed through a series of pipes crossing Sylvan Road North that drains excess water from parts of the Marion Road neighborhood. The most recent past configuration shown on the plan reflects improvements completed by the Town of Westport circa 1991. The wetland areas are associated with the watercourse and are characterized as forested wetlands. The wetland and watercourse drain towards the northwest.

The sketch map provided with the report from February 3, 2024, identifies the location of the wetland boundary. The wetland flag locations for the offsite wetland boundary are identified as WLF #1 to WLF#21. The "Data Accumulation Plan" for 50 Sylvan Road North demonstrates there are no wetlands on the subject property and depicts the wetland boundary on the neighboring site. The Town of Westport GIS mapping indicated a wetland area of ~1900 sq. ft. on the property at 50 Sylvan Road North. The proposed map amendment represents the elimination of ~1,900 sq. ft of mapped wetland area on the property at 50 Sylvan Road North.

The Town of Westport retained the services of Mary Jaehnig, Pfizer-Jaehnig Soils, LLC to review the proposed wetland boundary findings. Ms. Jaehnig conducted an on-site investigation on February 29, 2024. Ms. Jaehnig submitted a letter, dated March 05, 2024, stating the general agreement with Ms. Moch's report.

The Commission finds that the new wetland line shall be adopted, based on the findings of the two concurring soils scientists.

**Town of Westport
Conservation Commission
RESOLUTION
Application #IWW/M-11884-24
50 & 56 Sylvan Road North
50 Sylvan Road North - Assessor's Map: B09 Tax Lot: 009
56 Sylvan Road North - Assessor's Map: B09 Tax Lot: 008
Public Hearing: March 20, 2024**

In accordance with Section 8.0 of the Regulations for the Protection and Preservation of Wetlands and Watercourses of Westport, and on the basis of the evidence of record, the Conservation Commission resolves to **APPROVE** Application #IWW/M-11884-24 by Richard Benson on behalf of Sazes Partners and Adin Tooker & Jennifer Salmon Tooker to amend wetland map #B09 on Lots #009 & #008 on the property located at 50 & 56 Sylvan Road North with the following conditions:

- 1.) **Conformance to the plans titled:**
 - a. **Data Accumulation Plan, prepared for Sazes Partners, L.P., #50 Sylvan Road North, Westport, Connecticut, prepared by The Huntington Company, LLC, dated November 2, 2023, last revised to February 05, 2024, Scale: 1"=30'.**

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.

**Motion: Ryll Second: Lewi
Ayes: Ryll, Lewi, Carey, McDowell, Murphy
Nays: 0 Abstentions: 0 Votes: 5:0:0**

slope ranges from 3 to 15 percent and the runoff class is low. The depth to a restrictive feature is 20 to 40 inches or greater than 60 inches. The drainage class is well drained.

Udorthents, smoothed (308): This component occurs on leveled land and fill landforms.

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

- a. The existing house was built in 1977. It is served by a septic system.
- b. The property is 2.03 acres (88,332 sq. ft.) in size; located in Residential Zone AAA.
- c. The parcel is shown as located within the Aspetuck River watershed (subregional watershed ID #7202-13). The Aspetuck River is located ~3800' to the northwest. The wetlands onsite are associated with intermittent watercourses. The site drains to the west.
- d. Property is situated in Flood Zone X as shown on F.I.R.M. Panel 09001C0412F Map revised to June 18, 2010.
- e. The property **is not** within the Aquifer Protection Overlay Zone.
- f. Property **is not** within the Coastal Area Management Zone.
- g. The Waterway Protection Line is established 15' from the surveyed wetland boundary. The WPLO boundaries are not shown on the survey.
- h. The wetland area inventoried in the Town's GIS system measures ~6601 sq. ft.
- i. The flagged wetland area is **~28,129 sq. ft.**, as specified on the Improvement Location Survey.

7. Discussion:

The applicant submitted a wetland delineation report by Aleksandra Moch, Soil & Wetland Scientist, dated January 6, 2024. The report documents Ms. Moch's investigation of the soils on the site. Wetland soils were found on the site, identified as Leicester fine sandy loam (4).

The "Wetland Delineation" report identifies three (3) wetland and watercourse areas. Intermittent watercourses onsite originate from off-site hillside ground springs. The wetland areas are associated with the watercourses and are characterized as forested wetlands. The property drains towards the west.

The sketch map provided with the report from January 6, 2024, identifies the location of the wetland boundary. The on-site wetland flag locations for the eastern wetland are identified on the survey as WLF #4 to WLF#10. Southern wetland areas are identified on the survey as WLF #13 to WLF #17 and WLF #18 to WLF #29. The on-site portion of the northern wetland area is identified as WLF # 32 to WLF#58. The "Improvement Location Survey" identifies surveyed wetland areas totaling ~28,129 sq. ft. which represents an increase of ~21,528 sq. ft of wetland area on the property at 28 Charcoal Hill Rd.

The Town of Westport retained the services of Mary Jaehnig, Pfizer-Jaehnig Soils, LLC to review the proposed wetland boundary findings. Ms. Jaehnig conducted an on-site investigation on February 29, 2024. Ms. Jaehnig submitted a letter, dated March 05, 2024, stating the general agreement with Ms. Moch's report.

The Commission finds that the new wetland line shall be adopted, based on the findings of the two concurring soils scientists.

**Town of Westport
Conservation Commission
RESOLUTION
Application #IWW/M-11887-24
28 Charcoal Hill Road
Assessor's Map: E15 Tax Lot: 033
Public Hearing: March 20, 2024**

In accordance with Section 8.0 of the Regulations for the Protection and Preservation of Wetlands and Watercourses of Westport, and on the basis of the evidence of record, the Conservation Commission resolves to **APPROVE** Application #IWW/M-11887-24 by Aleksandra Moch on behalf of Vivian Hsu to amend wetland map #E15 on Lot #033 on the property located at 28 Charcoal Hill Road with the following conditions:

1.) Conformance to the plans titled:

- a. **Improvement Location Survey**, prepared for Survey for Vivian Hsu, 28 Charcoal Hill Road, Westport, Connecticut, prepared by Land Surveying Services, LLC, dated December 28, 2023, last revised to February 02, 2024, Scale: 1" = 20'

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.

Motion: Murphy **Second:** Ryll
Ayes: Murphy, Ryll, Carey, Lewi, McDowell
Nays: 0 **Abstentions:** 0 **Votes:** 5:0:0

4. **32 Edgewater Hillside:** Application #WPL-11888-24 by Gloria Gouveia on behalf of Robert & Jessica Zecher to remove a patio, construct a deck, tidal wetlands restoration and minor site improvements. Work is within the WPLO area of Sherwood Mill Pond.

Gloria Gouveia was present on behalf of the property owners. She noted the property is largely tidal wetlands. The house was rebuilt and is not that old but under current regulation is below the FEMA regulations. The owners are looking to build a deck to have outdoor space and are providing a tidal wetlands restoration plan.

Avind Baur, Project Engineer, presented the application for a deck, new patio and walkway and removal of a patio and a partial removal of the driveway. The deck will have 4 inches of crushed stone beneath it. The redesigned driveway, walkways and patio will be permeable.

Tara Vincenta reviewed the buffer planting plan. This will be a native and salt tolerant plan. It will significantly reduce the lawn area while allowing some movement around the house. There is an existing walkway to the pond that is a straight path that will become a more organic, meandering path.

Mr. Carey noted that planting plan is outstanding and will be a great benefit to the ecosystem of the Mill Pond.

Mr. Hally agreed the planting plan will be a benefit to the Mill Pond ecosystem. He reviewed the proposed conditions including bonding the planting and certifying the installation of the permeable components of the plant.

Mr. Kelly noted the planting will provide improvements to this property.

Mr. Carey asked for public comments. There were no public comments.

Motion to close the public hearing.

Motion: Murphy **Second:** Lewi
Ayes: Murphy, Lewi, Carey, McDowell, Ryll
Nays: None **Abstentions:** None **Vote:** 5:0:0

**Town of Westport
Conservation Commission
FINDINGS
Application #WPL-11888-24
32 Edgewater Hillside
Assessor's Map: E05 Tax Lot: 081
Public Hearing: March 20, 2024**

1. **Application Request:** The applicant is proposing to remove the existing patio and construct a new deck addition and new permeable driveway with associated site improvements. A wetland restoration plan is proposed. The proposed work is occurring within the WPLO (elevation 9') area of Sherwood Millpond.
2. **Plans Reviewed:**
 - a. **Zoning Location Survey**, prepared for David S. Demos, #32 Edgewater Hillside, Westport, Connecticut, prepared by Ochman Associates, Inc., dated April 15, 2022, Scale: 1" = 10'.
 - b. **Site Development Plan**, 32 Edgewater Hillside, Westport, CT, prepared for Robert and Jessica Zecher, prepared by Kousidis Engineering, LLC dated February 15, 2024, Scale: 1" = 20'.

- c. **Removals Plan**, 32 Edgewater Hillside, Westport, Connecticut, prepared by Artemis Landscape Architects, dated February 13, 2024, Scale: 1" = 10'.
- d. **Wetland Buffer Planting Plan**, 32 Edgewater Hillside, Westport, Connecticut, prepared by Artemis Landscape Architects, dated February 13, 2024, Scale: 1" = 10'.
- e. **Planting Palette**, 32 Edgewater Hillside, Westport, Connecticut, prepared by Artemis Landscape Architects, dated February 13, 2024, Scale: 1" = 10'.
- f. **Proposed Deck (Architectural Renderings)**, 32 Edgewater Hillside Rd. Westport, Connecticut, prepared by Christopher Pagliaro Architects, LLC, dated January 9, 2024, revised to February 14, 2024 Scale as Noted.
 - I. **Foundation Plan** Sheet D.1
 - II. **First Floor Plan** Sheet D.1
 - III. **East (Rear) Elevation** Sheet D.2
 - IV. **North (Side) Elevation** Sheet D.2
 - V. **Partial Building Section** Sheet D.2
 - VI. **South (Side) Elevation** Sheet D.2

3. **Past Permits:** **WPL-7536-05 - House**
 WPL-6813-02 - House (withdrawn)

4. **Property Description:** The existing home was constructed in 2007. Record indicates that there was notice of violation for wall construction in July 2015. Violation Removed 8/18/23.
Location of 25-year flood boundary: 9 ft. contour interval. The WPL is established 15 linear feet (LF) from the 9 ft. contour interval. Much of the property is located within the WPL.
Property is situated in Flood Zones VE (el. 14) and AE (el. 13') as shown on F.I.R.M. Panel 09001C0552G (Map revised to July 8, 2013)
Proposed Deck Elevation: 10.27 ft.
Existing Average Site Grade Elevation: 5.75 ft.
Base Lot Area: 13,340 sq. ft.
Existing Site Coverage: 23.7% (3,165 sq. ft.)
Proposed Site Coverage: 26.7% (3,558 sq. ft.)
Existing Building Coverage: 13.2% (1,758 sq. ft.)
Proposed Building Coverage: 13.2% (1,758 sq. ft.)
Proposed Total Excavation and Fill: (64 cu. yd.)
Sewer Line: The property is serviced by municipal sewer.
Zoning: Property is located in Residential Zone A
Coastal Jurisdiction Line (CJL): The proposed deck is within the CJL.
5. **Aquifer:** The property is outside of the Aquifer Protection Overlay Zone. The property is underlain by Canfield Aquifer which is a coarse-grained stratified drift aquifer.
6. **Coastal Area Management:** The subject property is located within the Coastal Area Management (CAM) zone. The coastal resources are identified as: **Estuarine Embayments, Nearshore Waters, Shellfish Area and Coastal Flood Hazard Area.** Estuarine Embayments are protected coastal bodies of water with an open connection to the sea in which saline sea water is measurably diluted by fresh water including tidal rivers, bays, lagoons and coves. Estuarine embayments facilitate high biological productivity, provide significant habitat for shellfish, finfish and waterfowl, serve as spawning and feeding grounds for a wide variety of fish species and various aquatic fauna. Nearshore Waters are those waters and their substrates lying between mean high water and a depth approximately by the ten-meter contour. Shellfish Area areas support an important source of food, provide recreational shellfishing opportunities, provide economic opportunities for the shellfish industry, and provide employment through the shellfish industry. Coastal Flood Hazard Areas are defined as those land areas inundated during coastal storm events. A-zones are subject to still-water flooding during "100-year" flood events. Coastal Hazard Areas serve as flood storage areas. They are, by their nature, hazardous areas for structural development, especially residential type uses.
7. **Proposed Storm Water Treatment:** The applicant proposes to treat the first 1" of runoff with a permeable driveway crushed stone reservoirs beneath. The driveway runoff will infiltrate into the reservoir. The applicant proposes a wetland buffer planting immediately upgradient from the tidal wetland boundary, will assist in management of general site runoff towards the wetland and Sherwood Millpond.
8. **Discussion:**

The WPL Ordinance requires that the Conservation Commission consider the following when reviewing an application:

“ 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 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 proposed work consist of initially removing portions of driveway, curbing walkways, and steps. The rear patio will be removed. A small amount of landscape trees will be removed from the north (front) of the property to accommodate the development. The driveway will be reconfigured and constructed as pervious. A rear deck will be built on piles separated from the residential structure. The project proposes a densely planted buffer upgradient from the tidal wetlands boundary and some plants within the tidal wetland.

The eastern portion of the property lies within the WPLO boundary (elevation 9') of Sherwood Millpond. The property abuts the intertidal zone of the pond. The site survey indicates the presence of tidal wetlands on the property. The mean high water line of the abutting tidal marsh is established at elevation 3.3' (NAVD88) to the east of the property. The Coastal Jurisdiction Line is established at elevation 5.3'. The site plan demonstrates the coastal jurisdiction line (CJL) is located along the edge of the millpond and its tidal wetlands.

Based on the existing spot elevations shown on the site plan, the existing topography of the site slopes moderately to east, towards the tidal wetlands. Grading is limited to the area around a proposed walkway on the northern portion of the property. Stormwater collection and retention will increase moderately. There is no existing stormwater management on the property, and the plan proposes one new area of stormwater retention.

The deck will be installed with a 6" underlayment of clean crushed stone. The Flood and Erosion Control Board meeting approved the application on March 6, 2024 with no special conditions.

Water Quality Considerations:

The potential for the proposed project to have an adverse impact on the preservation of natural resources and the ecosystem of the adjacent waterways should focus on stormwater quality impacts and percentage of impervious area. The proposed site coverage is ~27%, which exceeds the 10-25% cover that is expected to impact water quality. Coverage calculations are provided on the "Site Development Plan". The 2023 Connecticut Stormwater Manual provides research that water quality experiences degradation when coverage in a watershed exceeds 10%. As the Sherwood Millpond Watershed is densely developed, the coverage exceeds the percentage in which water quality can be assumed to be impacted.

The "Site Development Plan" depicts a single layer of perimeter silt fence beyond the limit of disturbance. The plan depicts a soil stockpile area at the north of the property enclosed by a single row of silt fence. The Commission finds the E&S plan to be adequate in mitigating the temporary but impactful risk of sediment release and sediment deposition within the wetland and watercourse.

The deck will be constructed on 16 piers. The piers will be advanced ~3' below ground surface in an area where the approximate grade is elevation ~5. With the mean high-water line established at elevation 3.3', the Commission finds the holes for installing piers may become inundated at periods of high tide. The Commission finds the work on the deck piers shall be limited to within three hours of either side of low tide. The "Site Development Plan" provides an E&S note for dewatering if the project should need to dewater.

The Commission finds that the applicant provides a "Wetland Buffer Planting Plan" which establishes a densely vegetated buffer within the upland review area. This buffer will provide some water quality treatment for sheet flow runoff from stormwater. General site stormwater runoff will sheetflow across the grassed lawn before discharging into the tidal wetland. Stormwater runoff from the terrace will be intercepted and diffused by the buffer planting. The Commission finds that the property also includes a Conservation easement filed with the Town Land Records (Vol 2583 Pg#67-70). Wherein this easement limits certain activities within its boundary. The applicant, however, has met the conditions of the easement, specifically #3, which allows planting of indigenous trees and plants. The proposed swamp white oak, eastern red cedar, high-tide bush, and saltmeadow cordgrass are consistent with this condition.

The drainage calculations demonstrate the driveway stone stormwater reservoir has a retention volume of 249 cu. ft., which is greater than the 78.17 cu. ft. required by Town drainage standards for the first 1" of runoff from the new development. The drainage report demonstrates that the stormwater runoff volume from the driveway will be collected by a driveway pervious surface and retained within the stone reservoir beneath the driveway. The applicant provides drainage to treat the first inch of runoff from the new areas of development proposed onsite, which is considered the Water Quality Volume (WQV). The Commission finds the driveway stormwater retention as a benefit, and the feature should enhance the stormwater quality across the site from the existing conditions. The Commission requires that the design engineer witness and certify all site drainage features and submit said certification to the Conservation Department prior to the issuance of a Conservation Certificate of Compliance.

A driveway restriction for the property was filed with the Town Land Records (Vol. 2583 pg. 071-073). The Commission requires adherence to the restriction of the driveway surface remaining gravel in perpetuity.

Natural Habitat Considerations:

The Commission references a preliminary review of the State of Connecticut DEEP Natural Diversity Database (NDDDB) for potential presence of state-listed species on or adjacent to the subject property using the EZfile online tool. The review provided results of potential nesting habitat for the following state threatened species; snowy egret (*Egretta thula*) and great egret (*Ardea alba*), and the following state species of special concern; glossy ibis (*Plegadis falcinellus*), little blue heron (*Egretta caerulea*), and yellow-crowned night heron (*Nyctanassa violacea*). Most of the proposed work is occurring within the envelope of the existing development on site. Expansion of coverage is mostly associated with the deck. Some landscape trees will be removed, but the trees have little forage or nesting habitat value for T&E species. Additionally, the area of disturbance does not extend into intertidal zone within the water of the Sherwood Millpond, foraging habitat for the above listed shorebirds. At present, The Commission does not require additional review or consultation for listed species or critical habitat(s). If coastal birds are found to be nesting within the project area. The Commission recommends that the applicant adhere to the DEEP- required setback of 200 meters (660 ft) for all activities during nesting season, if applicable.

The local ecosystem includes the tidal wetlands, the epibenthic community (organisms that live on or just above the bottom sediments in a body of water), the bottom substrates, and the water column of Sherwood Millpond. Sediment release from loose soil is one of the most significant potential impacts from the proposed project activities. Sediment releases during storm or flood events can result in temporary and long-term impacts to water quality. Impacted water quality may negatively affect the shellfish and aquatic vegetative community of the Sherwood Millpond and tidal wetland.

The "Wetland Planting Plan demonstrates that the planting will consist of native trees, shrubs, and perennial herbaceous plants. The entire planting will consist of 636 plants, restoring native and salt-tolerant vegetation within the tidal wetland and providing a buffer planting around areas susceptible to coastal flooding and erosion. The wetland will be greatly enhanced with salt meadow cordgrass and high-tide bush.

The Commission finds the extensive and robust plantings as a benefit to the natural habitat within the WPL. Stormwater and flood water biofiltration will benefit the intertidal benthic community and fish community of the millpond. The plantings will provide cover and forage to resident and migrating bird species. The plants will be beneficial to pollinators, as well. The reclamation of lawn on the property will restore the ground surface that is more beneficial to facilitating absorption and infiltration of floodwater and stormwater. The plantings will greatly increase the biodiversity of the plant community in the local ecosystem and may have the potential to populate other areas around the Millpond through seed spread. The Commission requires that any plants installed within the tidal wetland limits should be installed by hand to limit disturbance of existing wetland vegetation.

Overall, The Commission finds that adding an area of drainage and stormwater retention where there was previously none and restoring dense vegetative buffers in areas of lawn is a vast improvement to the natural habitat.

Conservation Commission
TOWN OF WESTPORT
Conditions of Approval
Application #WPL-11888-24
32 Edgewater Hillside
Assessor's Map: E05 Tax Lot: 081
Public Hearing: March 20, 2024

Project Description: To remove the existing patio and construct a new deck addition and new permeable driveway with associated site improvements. A wetland restoration plan is proposed. The proposed work is occurring within the WPLO (elevation 9') area of Sherwood Millpond.

Owner of Record: Robert and Jessica Zecher
Applicant: Gloria Gouveia

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-11888-24** with the following conditions:

STANDARD CONDITIONS OF APPROVAL

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. Any on-site dumpster shall be covered at the end of each workday to prevent debris/litter from inadvertently entering surrounding wetlands and/or watercourses.
14. A final inspection and submittal of an "as built" survey is required prior to the issuance of a Certificate of Compliance.
15. Conformance to the conditions of the Flood and Erosion Control Board of **March 6, 2024**.

SPECIAL CONDITIONS OF APPROVAL

16. Conformance to the plans entitled:
- a. **Zoning Location Survey**, prepared for David S. Demos, #32 Edgewater Hillside, Westport, Connecticut, prepared by Ochman Associates, Inc., dated April 15, 2022, Scale: 1" = 10'.
 - b. **Site Development Plan**, 32 Edgewater Hillside, Westport, CT, prepared for Robert and Jessica Zecher, prepared by Kousidis Engineering, LLC dated February 15, 2024, Scale: 1" = 20'.
 - c. **Removals Plan**, 32 Edgewater Hillside, Westport, Connecticut, prepared by Artemis Landscape Architects, dated February 13, 2024, Scale: 1" = 10'.
 - d. **Wetland Buffer Planting Plan**, 32 Edgewater Hillside, Westport, Connecticut, prepared by Artemis Landscape Architects, dated February 13, 2024, Scale: 1" = 10'.
 - e. **Planting Palette**, 32 Edgewater Hillside, Westport, Connecticut, prepared by Artemis Landscape Architects, dated February 13, 2024, Scale: 1" = 10'.
 - f. **Proposed Deck (Architectural Renderings)**, 32 Edgewater Hillside Rd. Westport, Connecticut, prepared by Christopher Pagliaro Architects, LLC, dated January 9, 2024, revised to February 14, 2024 Scale as Noted.
 - i. **Foundation Plan** Sheet D.1
 - ii. **First Floor Plan** Sheet D.1
 - iii. **East (Rear) Elevation** Sheet D.2
 - iv. **North (Side) Elevation** Sheet D.2
 - v. **Partial Building Section** Sheet D.2
 - vi. **South (Side) Elevation** Sheet D.2
17. The design engineer shall witness and certify the construction of site drainage and submit said certification to the Conservation Department prior to the issuance of a Conservation Certificate of Compliance.
18. The driveway shall remain gravel, in accordance with the existing restriction on the land records, Vol. 2583 pg. 071.
19. Installation of the deck footing piers shall be restricted to a period of three (3) hours on either side of low tide.
20. The applicant shall submit a performance bond for the planting plan to be held one full growing season to ensure vitality of the plants. The bond shall be paid prior to the issuance of a Zoning Permit.
21. Planting within the tidal wetland shall be limited to hand tools only.

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: Carey **Second:** Ryll
Ayes: Carey, Ryll, McDowell, Murphy, Lewi
Nays: 0 **Abstentions:** 0 **Vote:** 5:0:0

Work Session II:

1. Receipt of applications

Mr. Kelly stated there were two applications to officially receive:

- **8 Belta Farm Road:** Application #IWW,WPL/E-11898-24 for a new single family residence, pool, driveway and septic system; and
- **52 Marion Road:** Application #IWW,WPL-11899-24 for additions and associated site improvements.

Mr. Kelly also noted there are 3 WPLO applications that have been submitted that could be on the April agenda but do not need to be received:

- **45 Compo Beach:** Application #WPL-11897-24 for a new single family residence, detached garage, ADU, pool, pergolas, patio and gravel driveway;

5. Other Business

- a. **70 Cranbury Road, Norwalk:** Submission of 3 lot subdivision within 500 feet of Westport.

Mr. Hally noted that 70 Cranbury Road is 95% in Norwalk and 5% in Westport in the southeast. The Town of Westport was notified of the submission because the application is within 500 feet of the Westport town line. The way the State Statutes work, Norwalk is the lead in the application and their regulations apply. He has reviewed the plans and under the current proposal, there would be no activity within the “Westport” portion of the property.

- b. Submittal of RAISE Grant for Sherwood Mill Pond tide gates

Mr. Kelly noted that he worked with Public Works to submit a RAISE grant for the Sherwood Mill Pond tide gates for 6.5 to 7 million dollars. The tide gates and walkway are becoming substantially deteriorated.

- c. Skip the Stuff Campaign press release dated February 27, 2024

Mr. Kelly noted the Conservation Department is the agency that regulates the Single Use Plastics Ordinance. This ordinance was rolled out in 2019 and was just going into effect when the pandemic hit. It was rolled back due to supply shortages. It is now being reintroduced and coordinated with a Skip the Stuff Campaign.

- d. Discussion of CAWS meeting on March 7, 2024

Mr. Hally stated that Mr. Hartshorne and he attended the CAWS meeting on March 7, 2024. The conference allows for numerous class path and is a networking opportunity. It was attended by both staff members and Commission members. Some communities do not have staff that regulate the wetlands. He noted one of his big takeaways from this conference is the State of CT and the Army Corps of Engineers is hiring more wetland people to work on projects. Another takeaway came from Tim Bishop, Director of the Fairfield Conservation, who has determined where vernal pools are located in Fairfield. There is no vernal pool inventory in Connecticut. New Hampshire has an inventory. Mr. Hartshorne has taken an interest in this idea and is going out to look for vernal pools and inventorying prospective properties in Westport.

- e. Educational opportunities

- i. Drainage review – Mr. Kelly noted that some members met with Mr. Gill for a review of drainage standards. He stated that if anyone else wants to attend, let staff know and we will set it up.
- ii. Mr. Kelly asked if there were any other training opportunities the Commissioners would like to see.

- f. Volunteer opportunities

- i. Shore bird study – Mr. Kelly stated information sent to the members via email.
- ii. Mr. Kelly stated April 27, 2024 is the Town-wide clean-up day for Earth Day. If any member or a group of members wish to participate let staff know and we'll help find a location or group for participation on that day. Sign up will be taken care of and Parks and Recreation will pick up garbage from the designated areas.

The March 20, 2024 Public Hearing of the Westport Conservation Commission adjourned at 8:34 p.m.

Motion:	Ryll	Second:	Lewi
Ayes:	Ryll, Lewi, Carey, McDowell, Murphy		
Nayes:	None	Abstentions:	None
			Vote: 5:0:0