

**STAFF REPORT #1**  
**Application # IWW, WPL/E-11007-20**  
**128 Bayberry Lane**  
**Assessor's Map: G13 Tax Lot: 020**  
**Assessor's Map: G13 Tax Lot: 021**  
**Public Hearing July 15, 2020**  
*Prepared June 3, 2020, last revised July 8, 2020*

**Receipt Date:** **May 20, 2020**

**Application Classification:** **Plenary**

**Application Request:**

Applicant is proposing an "Open Space Subdivision" consisting of 9 residential lots, served by a 22 ft. wide private road with underground utilities and stormwater management system. Each lot will be served by private septic system and public water supply. Portions of the property are within the upland review area. Two lots will be retained by the owners with their existing residences.

**Plans Reviewed:**

- 1) "Belta Farm Subdivision 128 Bayberry Lane Westport Connecticut" Drawing package, Dated May 14, 2020 (except where noted), prepared by Dymar with following sheets:
  - Cover Sheet
  - "Subdivision Map Showing Belta Farm Subdivision prepared for Estate of James S. & Dina M. Belta 126 & 128 Bayberry Lane Westport, CT" Dated March 25, 2020, Scale 1"=60', Prepared by Dymar
  - "Existing Conditions Plan prepared for Estate of James S. & Dina M. Belta 126 & 128 Bayberry Lane Westport, CT" Dated February 4, 2020, Scale 1"=60', Prepared by Dymar
  - C-1: General Legend, Abbreviations & Notes
  - C-2: Existing Conditions Site Analysis Map
  - C-3: Existing Conditions Map – Conventional Lot Layout Plan,
  - C-4: Existing Conditions Map – Cluster Lot Layout Plan
  - C-5 (A&B) Site Development & Grading Plan
  - C-5C Test Hole Data
  - C-5D Test Hole Data & Septic Feasibility Data,
  - C-6 (A&B) Phase I – Road Infrastructure Sediment and Erosion Control Plan
  - C-6C Sediment and Erosion Control Narrative
  - C-6D Sediment and Erosion Control Construction Standards and Miscellaneous Details
  - C-6E Sediment and Erosion Control Details
  - C-7A Construction Road Plan & Profile
  - C-7B Drainage Plan & Profile
  - C-8A Paving, Storm Sewer & Utility Details
  - C-8B Miscellaneous Site Details

- C-9A Construction Specifications & Standards
  - C-9B Earthwork Specifications
  - C-10 Intersection Sight Line Plans and Profile
  - C-11A Street Tree Landscape Plan
  - C-11B Wetlands Buffer Planting Plan
  - C-12 Detention Basin Landscape Plan
- 2) Wetland Impact and Assessment Report Proposed 9-Lot Open Space Residential Subdivision 128 Bayberry Lane Westport, Connecticut”, Dated May 14, 2020, Prepared by Landtech, (4pgs)
  - 3) Drainage Report Belta Subdivision 128 Bayberry Lane Westport, CT for Estate of James S. & Dina M. Belta 128 Bayberry Lane Westport, CT 06880”, Dated May8, 2020, prepared by Dymar (89 pgs.)

**Regulated Activity:**

This subdivision is being reviewed pursuant to Section 9.1 of the Inland Wetland and Watercourse Regulations (IWW Regulations), which requires that all applications for subdivision of land containing a wetland or watercourse must be reviewed by the Conservation Commission before the Planning & Zoning Commission can act on said subdivision application. There is no proposed work directly in the wetland or within the 50-foot upland review area.

**WPLO**

The Waterway Protection Line is located 15 ft. from the 25-year floodplain boundary of Muddy Brook. No work is proposed within the WPLO area. However, the application has been referred to the Flood & Erosion Control Board for comments pursuant to Section 6.5(e) of the IWW Regulations.

**Soils**

**Wetlands Description: The wetlands soils on the property consist of mixture of glacial till, glaciofluvial deposits, and alluvial soils identified as Ridgebury, Leicester and Whitman soils, extremely stony (3), Timakwa and Natchaug Soils (17), and Rippowam fine sandy loam (103) respectively. The wetland boundary map was amended under Permit #IWW/M 10948-20; delineation by Chris Allan, Landtech, and reviewed by Jay Fain, Jay Fain & Assoc.**

**Ridgebury, Leicester and Whitman soils, extremely stony (3) -** This is an undifferentiated mapping unit consisting of poorly drained and very poorly drained soils developed on glacial till in depressions and drainage ways in uplands and valleys. Their use interpretations are very similar and they typically are so intermingled on the landscape that separation is not practical. The Ridgebury and Leicester series have a seasonal high water table at or near the surface from fall through spring. They differ in that the Leicester soil has a more friable compact layer or hardpan, while the Ridgebury soils have a dense to very dense compact layer. The Whitman soil has a high water table for much of the year and may be frequently ponded.

**Timakwa and Natchaug Soils (17)** - This component occurs on depression landforms. The parent material consists of woody organic material over sandy and gravelly glaciofluvial deposits. The slope ranges from 0 to 2 percent and the runoff class is negligible. The depth to a restrictive feature is greater than 60 inches. The drainage class is very poorly drained. The flooding frequency for this component is rare. The ponding hazard is frequent. The minimum depth to a seasonal water table, when present, is about 4 inches.

**Rippowam fine sandy loam (103)** - This component occurs on depression and flood plain landforms. The parent material consists of alluvium. The slope ranges from 0 to 3 percent and the runoff class is very low. The depth to a restrictive feature is greater than 60 inches. The drainage class is poorly drained. The flooding frequency for this component is frequent. The minimum depth to a seasonal water table, when present, is about 9 inches.

The **non-wetland** soils are described as the following:

**Woodbridge Fine Sandy Loam, (45a)** - This component occurs on upland drumlin and hill landforms. The parent material consists of lodgement till derived from schist, granite, and gneiss. The depth to a restrictive feature is 20 to 40 inches to densic material. The drainage class is moderately well drained.

The Woodbridge series of soils is nationally recognized as prime farmland soil by the U.S.D.A.

**Paxton and Montauk Fine Sandy Loams (84b)** - These soil components occur on upland hill and drumlin landforms. The parent material consists of lodgement till derived from granite, gneiss, and schist. The depth to a restrictive feature is 20 to 40 inches to densic material. The drainage class is well drained.

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

**Previously Approved Applications:**

1. #IWW/M 10948-20: To amend wetland map #G13 and G14
2. Application #43: granted with conditions for filling in property and regrading soil, August 6, 1974.

**Property Description and Facts**

- The Westport Wetlands Inventory, prepared by Flaherty Giavara Associates, P.C., dated June 1983 describes this wetland as a streamside floodplain within a wooded swamp. The perimeter of this wetland is listed as 50% residential and 50% forested.
- The parcel is located within two watersheds. The Sasco Brook watershed is located to the east and, the Muddy Brook watershed is located to the west.
- Landscape position of the property is noted as a hilltop and slope.

- The FEMA maps indicate that the property is beyond their study area for the 100-year floodplain of Muddy Brook. However, a recent study done for the Town by GZA GeoEnvironmental Inc., established the 100-year floodplain elevation.
- The Waterway Protection Line Ordinance boundary will be established 15' from the 25-year flood boundary, or 15' from the wetland line, whichever is the greater.
- Property does not exist within the Aquifer Protection Overlay Zone.
- Property does not exist within the Coastal Areas Management Zone.
- Existing Lot Area:
  - Parcel A: **21.505 acres or 936,745 sq. ft.;**  
flagged wetlands: **3.45 acres or 150,448 sq. ft.**
  - Parcel B: **1.543 acres or 67,233 sq. ft.**
  - Total Area: **23.05 acres or 1,003,978 sq. ft.**
- **Proposed Lot Areas:**

<ul style="list-style-type: none"> <li>○ 1. <b>1.362 acres or 59,350 sq. ft.</b></li> <li>○ 2. <b>1.404 acres or 61,198 sq. ft.</b></li> <li>○ 3. <b>1.804 acres or 78, 612 sq. ft.</b></li> <li>○ 4. <b>1.597 acres or 69, 586 sq. ft.</b></li> <li>○ 5. <b>1.489 acres or 64,845 sq. ft.</b></li> <li>○ 6. <b>1,931 acres or 84,104 sq. ft.</b></li> <li>○ 7. <b>3.008 acres or 131,019 sq. ft.</b></li> </ul>	<ul style="list-style-type: none"> <li>○ 8. <b>2.031 acres or 88,486 sq. ft.</b></li> <li>○ 9. <b>2,557 acres or 111,368 sq. ft.</b></li> <li>○ <b>Open space: 4.879 acres or 212,532 sq. ft.</b></li> <li>○ <b>Right-of-Way: 0.984 acres or 42,878 sq. ft.</b></li> </ul>
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\*This is a 9-lot open-space subdivision in a 2-acre zoning district. If a conventional subdivision were proposed, 9 lots would also be allowed but only 2.62 acres would be provided compared to the 4.88 acres proposed in this layout.

**Status:**

The Conservation Department has referred this application to the Flood & Erosion Control Board (F&ECB) to be heard. The application was postponed from the July F&ECB hearing due to the applicants need to revise the plans, under the direction of Town Engineering staff. This requirement will address specific drainage and engineering design aspects of the proposal in order to meet the Town of Westport Drainage Requirements. Staff was told, verbally, that these revisions will not materially change the concept or layout of the subdivision.

On July 10, 2020, a site walk is scheduled by the Conservation Commission to review the site, proposed lot boundaries, road location, and appurtenances of the subdivision. Including the outermost limit of a proposed detention basin closest to the wetland located in the open space parcel.

Proposed site improvements are shown on the submitted site plan to depict viable areas of future development on these parcels. The properties are proposed to be served by public water and served by individual onsite subsurface sewage disposal systems. A private cul-de-sac road, 22 ft. wide and ~960 feet long, is proposed to access the new lots. The proposed grading plan follows the natural topography of the existing hillside/slope with minimal changes as shown. The proposed drainage from the R.O.W. is directed into

catch basins along the paved areas. These are proposed to have snouts and sumps to collect debris and sediments and control the oil/floatables from continuing through the drainage system. The drainage will discharge into a planted detention basin on the open space parcel to manage the storage of water quality volume in a fore bay and main storage area which will be ~3 feet deep.

Wetland buffer plantings are proposed along the eastern slope of lots 3, 4, 5, and 6. Plantings are proposed along the detention basin and seed mixes are proposed to establish a meadow within the basin. Street trees are proposed along the R.O.W.

Updated plans are expected to address the Engineering Department request. Therefore, staff recommends the continuation of the hearing to allow the F&ECB the opportunity to review the proposal. Submission of Westport Weston Health District approval is also necessary, acknowledging the capability for a 9-lot subdivision.

A future staff report will be an analysis of the subdivision relative to section 6.0 of the IWW Regulations "Standards of Review".