Memorandum

To: Members, Zoning Board of Appeals

From: Michelle Perillie, AICP; Planner/CFM

Date: August 24, 2020, *updated August 31, 2020*

Re: **Coastal Site Plan Review, ZBA-20-00305, 233 Hillspoint Road, *Supplemental***

Revised Plans:

The applicant submitted revised site and building plans dated 8//14/20 showing the following changes:

1. Mechanical platform moved from east side to attic;
2. Chimney removed and 2nd floor covered porch added;
3. Breakaway walls changed to block walls with stone veneer and flood vents;
4. Changed rood material from metal to wood shingle;
5. Siding changed to whitewashed cedar shingles;
6. Roof deck railing changed from metal to parapet to hide generator;
7. Extend the roofline to the end of the roof deck on south;
8. Less windows on south elevation and garage on east elevation;
9. Crushed stone walkway on east side of the house.
10. Reduced openings on south elevation (lower level) from four to three.

Flood Zone:

The site is located entirely within the 100-year Flood Line, which also delineates the boundary of the Coastal Flood Hazard Areas. This site is located in the Coastal Zone AE 13 and VE 14 on the FEMA F.I.R.M. Maps, Community Panel 09001C0551G. The dwelling is entirely in the AE 13 zone.

A house was being constructed after receiving previous Coastal Site Plan approval and the zoning permit was revoked as the construction was not consistent with the approved plans. The applicant is now returning with a new variance application which requires additional Coastal Site Plan review.

The applicant has filed a non-conversion agreement for the ground floor that was filed on the land records prior to the issuance of the zoning permit. The lower level will then not count as a story and can be used for storage parking and access to the first floor living space. ***The proposed plans dated 8/14/20 appear to show compliance with the flood zone compliance.***

Sediment and Erosion Controls:

Temporary sediment and erosion controls are shown including construction anti-tracking pad and a stock pile area. The silt fencing is backed with hay bales along the entire property.

Vegetated Buffer:

The Department of Energy and Environmental Protection, Office of Long Island Sound Fact Sheet on Vegetated Buffers suggests that "*large buffers (e.g. 100 feet or greater in width) provide the best protection for water quality by buffering temperature changes and improving control of erosion, sedimentation and pollution. However, even a narrow buffer (15 to 30 feet in width) can be effective under certain conditions.*"

Some of the important benefits of vegetated buffers are that they:

- Protect resources from adjacent development by reducing the adverse effects of human activities on natural resources including wetlands and surface waters by acting as filters to intercept and absorb nutrients, sediment and other pollutants carried in storm water runoff from fertilized lawns and landscaping where pesticides are applied.
- Slow down runoff, which both reduces erosion and allows silt and other suspended solids to settle out before they reach a receiving water body or wetlands.
- Provide an area for infiltration, thereby reducing volume of runoff.
- Bacteria and pathogens from pet wastes are trapped within the buffer, are decomposed and thereby preserve water quality.

A condition of the previous Zoning Board of Appeals approval required the applicant provide a buffer along the Long Island Sound boundary of the property. Vegetated buffers of at least 15' wide have previously been recommended for single family home construction. The buffer should consist of native salt tolerant plantings and should be maintained in order to intercept and absorb nutrients and prevent contaminants from reaching the adjacent coastal resources.

> **Recommendatio**n: Staff suggests that the planting buffer should be at least 8-10 feet which is less than what is generally required for a residential dwelling directly on coastal resource.
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> Staff recommends that the southern (seaside) portion of the planting beds provide a double or staggered hedge row of the shrubs they have proposed (bayberry, chokeberry and clethra) be installed as these plants will protect the site the most during the winter when the herbaceous perennials they have proposed will die back in the winter. The herbaceous perennials and sedge can be planted on the house side of the planting bed. Staff recommends using only native and salt tolerant plants in this planting.

The revised Landscape Plan dated 6/22/20 proposes a 10 foot buffer which complies with staff recommendations.

CONCLUSION

The Westport Zoning Board of Appeals may find that this project is consistent with the policies identified in Section(s) 22a-92(b) (1) and 22-a-92 (b) (2) of the Coastal Area Management Act; that it will not adversely affect adjacent Coastal Resources identified in Sections 22-93 (a) (7) of said Act if the following recommendations are implemented:

1. Non-conversion agreement to be filed on the Land Records.
2. Vegetative buffer as proposed along the length of the rear property line to protect Long Island Sound.

Prior to Zoning Permit. The applicant should submit the following prior to issuance of a Zoning Permit for the proposed work:

1. Final approval from DPW Engineering for revised grading and drainage.
2. Proof of filing a non-conversion agreement on the Westport Land Records.

Available in the File:

- *Coastal Resources map prepared by Cahn, Inc. for the Town of Westport's participation in the CAM program, Section*
- *Existing Conditions Survey, prepared by Bryan Nesteriak, dated 1/30/20*
- *Landscape Plan, prepared by Michael D'Angelo, dated 4/7/20, revised 6/22/20*
- *Site Plan, prepared by Bryan Nesteriak, dated 3/23/18, revised to 8/14/20*
- *Building Plans, prepared by Beinfield Architecture, dated 7/73/18, revised to 8/14/20*