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DRAFT
MINUTES
WESTPORT CONSERVATION COMMISSION
JULY 2, 2025

The July 2, 2025 Special Meeting of the Westport Conservation Commission was called to order at 1:00 p.m. via Zoom.

ATTENDANCE

Commission Members:

Josh Lewi, Chair
Patrick Ryll, Vice Chair
Diana McDowell, Secretary
Brian Whiting, Sergeant at Arms
Michele Carey-Moody
Timothy Kwong

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 business days of the July 2, 2025 Special Meeting of the Westport Conservation Commission pursuant to Section 1-225 of the Freedom of Information Act.

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Colin Kelly
Conservation Director

Members visited site in preparation for the meeting except Mr. Lewi & Mr. Whiting.

<u>Public Hearing:</u>

1. **24 Center Street – Sewer Pump Station #9:** Application #IWW,WPL-12170-25 by Peter Ratkiewich, Director of Public Works on behalf of the Town of Westport to install bypass port on the existing force main. Installation of new sewage pumps and interior fittings. The project requires installation of new exterior control valves and temporary diversion pipework to facilitate repairs. Work is within the 20-foot non-disturbance buffer and WPL area of Muddy Brook.

   Bryan Thompson, WPCA coordinator, thanked the Commission for gathering and hearing the application so quickly. He presented the application for Pump Station #9. This station was built in 1970. There are three pumps located within the building. One pump is currently down, one has the check valve failing and the other is fully functioning. The pumps are no longer manufactured and need to be replaced with larger pumps and as well as replacing the manifold system. The pump station does not have a bypass system in place. This is the second largest station in Town pumping approximately 1,000 gallons a minute. The interior shutoff valves are not working. In order to do the work, they must bypass the station using temporary pumps and a line stop installation.

   Mr. Lewi asked about the timing of the work.

   Mr. Thompson stated the test pits will begin on Monday, July 7 to identify what's on site and find the exact location of the outfall pipes as well as installation of the silt fence. He stated that all pumps will be in by end of month. They should be out of the site by middle of Aug and middle of September.

   Mr. Lewi noted the X's on the trees.

   Mr. Thomspon stated those trees have been removed. He indicated he will be working with Ben Sykas, Tree Warden to replant the property to help blend the building back into the neighborhood.

   Mr. Kelly stated the tree removal was approved administratively last week due to the nature of the work and the health of the trees.

   Ms. Carey Moody asked that in looking at all the pumps during the site walk, will pump 1be replaced.

   Mr. Thompson stated all pumps are due by July 23, 2025 and will be replaced.

   Patrick Ryll asked about Pump Station on Imperial Avenue and whether it has a bypass.

   Mr. Thompson stated it has a 16" bypass that he hopes he never has to use.

   Mr. Kelly reviewed the staff report. The pump station was built pre-wetland regulations. He stated that he has witness this station in an shutdown where the manhole has geysered effluent. This is a necessary upgrade. The proposal is to restore disturbed areas to the extent possible.

No public present. There was no public comment by email.

Motion to close the public hearing.

Motion: **Ryll** **Second:** **Whiting**
Ayes: **Ryll, Whiting, Carey Moody, Kwong, Lewi, McDowell**
Nayes: **None** **Abstentions:** **None** **Vote:** **6:0:0**

FINDINGS
Application # IWW, WPL-12170-25
24 Center Street – Sewer Pump Station #9
Assessor's Map: F08 Tax Lot: 082
Public Hearing July 2, 2025
Prepared February July 1, 2025

Owner of Record: Town of Westport
Applicant: Peter Ratkiewich, PE, Westport Public Works Director

Receipt Date: July 2, 2025
Application Classification: Plenary

Application Request: To install bypass port on the existing force main. Installation of new sewage pumps and interior fittings. The project requires installation of new exterior control valves and temporary diversion pipework to facilitate repairs. Work is within the 20-foot non-disturbance buffer and WPL area of Muddy Brook.

Plans Reviewed:
a. **GIS Map of Property**, WPCA Pump Station #9, prepared by Westport Engineering, Scale 1"=15'.
b. **Hand Drawn Detail Map,** prepared by Westport Engineering, undated, not to scale
c. **Sewage Force Main & Lateral Sewer extension Westport, CT,** Cross Country- Wagon Wheel Road Plan & Profile, prepared by Whitman & Howard august 1970 last revised February 1975.

IWW and WPLO Regulated Areas

The onsite wetlands are associated with a tributary and perennial watercourse, Muddy Brook. The project proposes to install sewer bypass for the existing sewer which lies beneath the wetlands and watercourse. The Waterway Protection Line is associated with Muddy Brook. The proposed work will be installed within IWW review areas and the WPL.

The Inland Wetland and Watercourse Regulations (IWW) setbacks determined for regulated activities on this property include:

20' upland review area for the proposed cut, fill, grading, and other alterations.

The applicant did not provide a site-specific soil survey for the properties. The Commission finds that the USGS NRCS Web Soil Survey desktop and reference to the Town of Westport GIS describe soils are described below.

Wetland soils found on the site:

Raypole silt loam (12): This soil type is nearly level, poorly drained soil found in depressions, on plains and terraces. The Raypole soil has a seasonal high water table at a depth of 6 inches from fall until late spring. The soil dries and warms up slowly in spring. Excavations in the soil area are commonly filled with water, and many areas do not have drainage outlets. Quickly establishing plant cover and using siltation basins help to control erosion and sedimentation during construction. The soil is poorly suited for trees due to the high water table which restricts root growth. As a result, many trees are uprooted during windy periods.

Non-wetland soils found on the properties

Sutton fine sandy loam, 3 to 8 percent slopes (50B): This soil unit consists of gently sloping, moderately well drained soil found in slight depressions and on the sides of hills and ridges. This soil has seasonal high water table at a depth of about 20 inches from late fall until mid-spring. Many areas of this soil type are used for community development, with limitations caused by the high water table. Quickly establishing plant cover, mulching, and using siltation basins and diversions help to control erosion and sedimentation during construction.

Property Description and Relative Facts:

1. The existing pump house was built circa 1972 and went through renovation in 1999. It accommodates a collection tank, three pumps, and the required mechanicals to manage sewage flow.
2. The exterior pipe servicing the building were installed in the early 1970s. The sewer as built was completed in 1975.
3. Muddy Brook abuts the property to the west.
4. The pump house structure lies within the FEMA flood Zone AE and the Floodway associated with Muddy Brook
5. The property is located in Residential Zone **AA**.
6. The property is **not** within the Coastal Area Management Zone.
7. The property is not within the Aquifer Protection Overlay Zone.
8. The Waterway Protection Line is established 15’ from the 25 year flood line.

Conformance to Section 6 of the Inland Wetlands and Watercourses Regulations:

6.1 GENERAL STANDARDS

a) disturbance and pollution are minimized;
b) minimize height, width, length of structures are limited to the minimum; dimension to accomplish the intended function;
c) loss of fish, other beneficial organisms, wildlife and vegetation are prevented;
d) potable fresh water supplies are protected from dangers of drought, overdraft, pollution, misuse and mismanagement;
e) maintain conservation, economic, recreational and aesthetic qualities;
f) consider historical sites

Discussion:
This project proposes work associated with repairs and maintenance to the existing sewer collection and distribution system associated with pump house #9. The building consists of a collection tank for untreated sewage and a three pump assembly to manage flows. Each pump is designed to pump ~1000 gallons per minute into the force-main system. This is pumped to ultimately be delivered for final treatment in the Sewage Treatment Plant located at Elaine Road.

There are sewage easements that exist within the wetland boundary and WPL of Muddy Brook. The project proposes temporary disturbance within the areas immediately adjacent to the watercourses onsite. Disturbance and pollution are minimized due to limited access to the pipework that will be installed at the shallowest depth that is practicable to install the required valving. The amount of excavated material and period of disturbance is minimized because the valves are installed in limited areas and will be backfilled upon completion.

The Commission finds that of the three existing pumps: one is offline, one is working at 50% capacity, and the other is working at 100% capacity. The work is planned expediently to manage the replacement of the three pumps. This is done to proactively precede any failure that would create a backflow condition, and/or release of effluent into regulated areas and adjacent watercourses

The Commission finds that disturbed conditions are temporary and do not pose any long-term adverse impacts to wildlife, vegetative community, and or fish habitat.

6.2 WATER QUALITY

a) flushing rates, freshwater sources, existing basin characteristics and channel contours will not be adversely altered;
b) water stagnation will neither be contributed nor caused;
c) water pollution will not affect fauna, flora, physical or chemical nature of a regulated area, or the propagation and habitats of fish and wildlife, will not result;
d) pollution of groundwater or a significant aquifer will not result (*groundwater recharge area or Aquifer Protection Overlay Zone*);
e) all applicable state and local health codes shall be met;
f) water quality will be maintained or improved in accordance with the standards set by federal, state, and local authority including section 25-54(e) of the Connecticut General Statutes
g) prevents pollution of surface water

Discussion:
The surface water quality classification for Muddy Brook (Connecticut Environmental Conditions Online, http://www.cteco.uconn.edu/), is Class A water for Inland Surface Water Class. The Class A designation indicates that the water is suitable habitat for fish other aquatic life and wildlife and recreation.

The Commission finds that UConn's CLEAR Local Watershed Assessment Tool reports the local watershed basin for Muddy Brook has a combined condition index (CCI) score of 0.19. A CCI score of less than 0.43 indicates the watershed basin may be significantly impaired. The Tool defines Muddy Brook's Recovery Status as "Mitigation", identifying that the watershed condition can be improved with mitigation efforts such as restoring naturalized riparian zones.

Based on the distance of the activity from the watercourse and the limited disturbance proposed, The Commission does not feel the surface water quality of Muddy Brook will have long-term impacts from the proposed excavation activity across the subject property. The site conditions will be restored to their current state post work, so it is expected the restoration will have limited potential in improving water quality in the off-site watercourse.

The excavation work will require dewatering efforts to reach the existing pipe. The length of time for dewatering the work area adjacent to the stream will be unknown until the work begins. Sediment and erosion controls, including silt fence and haybales will be installed to control sediments, dewatering areas consisting of aggregate base, silt fencing, hay bales, and dewatering sacks will be used to control dewatering effluent. The Commission finds that with the proper silt fence or hay bales installed along the watercourse, potential impacts to water quality from sedimentation will be minimized.

The Commission finds that the Engineering Department shall conduct daily oversite of the work.

6.3 EROSION AND SEDIMENT

a) temporary erosion control measures shall be utilized during construction and for the stabilization period following construction;
b) permanent erosion control measures shall be utilized using nonstructural alternatives whenever possible and structural alternatives when avoidable;
c) existing circulation patterns, water velocity, or exposure to storm and flood conditions shall not be adversely altered;
d) formation of deposits harmful to aquatic life and or wetlands habitat will not occur;
e) applicable state, federal and local guidelines shall be met.

Discussion:
The Commission finds that focus on the site shall utilize adequate type and amount of erosion and sediment controls to prevent a large-scale release of loose sediment during dewatering and potential storm conditions. The potential for sedimentation into the wetlands will be related to E&S inadequacies or failures.

The applicant intends to provide sediment and erosion controls that specifies the use of a single row of silt fence and hay bales at the limit of disturbance and silt sack dewatering bags. Water encountered within the excavation will be pumped out and discharged through a silt sack upgradient from the limit of excavation and prevent sediment deposition within the wetland and watercourse.

The Commission finds that proper installation and continued maintenance of the above listed E&S controls should be adequate to contain sediments onsite and prevent impacts due to sedimentation. The Commission finds the contractor should be prepared to stop work and add additional controls to stabilize the site in the case that a significant storm is expected.

6.4 NATURAL HABITAT STANDARDS

a) critical habitats areas,
b) the existing biological productivity of any Wetland and Watercourse shall be maintained or improved;

c) breeding, nesting and or feeding habitats of wildlife will not be significantly altered;
d) movements and lifestyles of fish and wildlife (plant and aquatic life)will not be significantly affected;
e) periods of seasonal fish runs and bird migrations shall not be impeded;
f) conservation or open space easements will be deeded whenever appropriate to protect these natural habitats.

Discussion:
The site is adjacent to Muddy Brook, a perennial watercourse, and an unnamed tributary that are and candidate habitat for fish and macroinvertebrates. The fish community is not well documented within this area.

The Commission finds that review of current data maintained by the Natural Diversity Database (NDDB) and housed in the DEEP ezFile portal, demonstrated that no populations of State Endangered, Threatened, or Special Concern species (RCA Sec. 26-306), and no Critical Habitats have been documented within or in close proximity to the project area. The Commission finds there will be no impacts to state listed species or critical habitat as a result of the proposed project.

The Commission finds the areas of disturbed ground surface will be seeded and mulched when complete. The Commission finds this as a suitable solution to stabilize the loose soils. The Commission finds that disturbance within the within steep slopes should be restored with rip-rap stone to existing conditions. The Commission finds replacement plantings shall be installed around the site to replace the loss of canopy from trees that were removed in preparation for this project.

6.5 DISCHARGE AND RUNOFF
a) the potential for flood damage on adjacent or adjoining properties will not be increased;
b) the velocity or volume of flood waters both into and out of Wetlands and Watercourses will not be adversely altered;
c) the capacity of any wetland or watercourse to transmit or absorb flood waters will not be significantly reduced;
d) flooding upstream or downstream of the location site will not be significantly increased;
e) the activity is acceptable to the Flood & Erosion Control Board and or the Town Engineer of the municipality of Westport.

Discussion:
Final grades will remain substantively the same as is currently observed across site. The Commission that the site topography will not be altered enough to change direction, velocity, or volume of flood waters across the subject property. The Commission finds that the stormwater discharge and runoff patterns will remain the same as current conditions. The excavation activity does not propose to introduce impervious surface. The Commission finds that the project will not diminish the capacity of wetland or watercourse to transmit or absorb flood waters.

6.6 RECREATIONAL AND PUBLIC USES

a) access to and use of public recreational and open space facilities, both existing and planned, will not be prevented;
b) navigable channels and or small craft navigation will not be obstructed;

c) open space, recreational or other easements will be deeded whenever appropriate to protect these existing or potential recreational or public uses;
d) wetlands and watercourses held in public trust will not be adversely affected.

Discussion:
Current application will not have a significant impact on recreational and public uses.

Waterway Protection Line Ordinance (WPLO)

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 WPLO boundary is located 15' from the wetland boundary associated with Pussy Willow Brook. A portion of the proposed activity will occur within the WPLO boundary. With the proper installation, monitoring, and maintenance of the E&S as well as the immediate stabilization of disturbed soils within the wetland and upland, The Commission finds impacts to water quality and natural resources will be mitigated.

Conservation Commission
Town of Westport
CONDITIONS OF APPROVAL
Application #IWW-WPL-12170-25
24 Center Street – Sewer Pump Station #9
Assessor's Map: F08 Tax Lot: 082
Public Hearing: July 2, 2025

Project Description: To install a bypass port on the existing force main. Installation of new sewage pumps and interior fittings. The project requires installation of new exterior control valves and temporary diversion pipework to facilitate repairs. Work is within the 20-foot non-disturbance buffer and WPL area of Muddy Brook.

Owner of Record: Town of Westport
Applicant: Peter Ratkiewich, PE, Westport Public Works Director

In accordance with Section 6 of the Regulations for the Protection and Preservation of Wetlands and Watercourses of Westport and 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 # **IWW, WPL-12170-25** with the following conditions:

Completion of the regulated activity shall be within FIVE (5) years following the date of approval. Any application to renew a permit shall be granted upon request of the permit holder unless the Commission finds there has been a substantial change in circumstances which requires a new permit application, or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued provided no permit may be valid for more than TEN (10) years.

STANDARD CONDITIONS OF APPROVAL

1. Permits are not transferable without the prior written consent of the Conservation Commission.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. Organic Landscaping practices are recommended as described by the Northeast Organic Farming Association.
9. All plants proposed in regulated areas must be non-invasive and native to North America.
10. Trees to remain are to be protected with tree protection fencing prior to construction commencement.
11. The bottom of all storm water retention structures shall be placed no less than 1 foot above seasonal high groundwater elevation.
12. 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.
13. 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.
14. A final inspection and submittal of an “as built” survey is required prior to the issuance of a Certificate of Compliance.
15. All on-site dumpsters shall be covered at the end of each workday and or when not in use.

SPECIAL CONDITIONS OF APPROVAL

16. Conformance to the plans entitled:
   a. **GIS Map of Property, WPCA Pump Station #9,** prepared by Westport Engineering, Scale 1”=15’.
   b. **Hand Drawn Detail Map,** prepared by Westport Engineering, undated, not to scale

c. Sewage Force Main & Lateral Sewer extension Westport, CT, Cross Country- Wagon Wheel Road Plan & Profile, prepared by Whitman & Howard august 1970 last revised February 1975

17. All disturbed ground surfaces shall be stabilized and restored with native vegetation and or native wetland / upland seed mix.
18. Silt fence, hay bales, and the dewatering system shall be periodically inspected and properly maintained. Switch dewatering bags out as needed.
19. The Engineering Department staff shall conduct daily oversite of the work.
20. Install plantings around the site to replace the loss of canopy from trees that were removed from the work area.

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: McDowell
Ayes: Carey-Moody, McDowell, Lewi, Ryll, Kwong, Whiting
Nays: 0 Abstentions: 0 Vote: 6:0:0

The July 2, 2025 Special Meeting of the Westport Conservation Commission adjourned at 1:35 p.m.

Motion: Whiting Second: Ryll
Ayes: Whiting, Ryll, Carey Moody, Kwong, Lewi, McDowell
Nayes: None Abstentions: None Vote: 6:0:0