

**Town of Westport
Conservation Commission
CONDITIONS OF APPROVAL
Application #IWW-WPL-12231-25
58 Turkey Hill Road South
Assessor's Map: G07 Tax Lot: 036
Public Hearing: November 19, 2025**

Project Description: to construct a garage bay addition with upper deck, porch structure with upper deck, outdoor kitchen, prefab shed, masonry gas fireplace, outdoor shower, driveway and an engineered retaining wall. Portions of the work are within the upland review area setbacks and WPL of onsite wetlands that drain to New Creek.

**Owner of Record: Phillip & Jessica Polito
Applicant: Glengate**

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-12231-25 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.



WESTPORT, CONNECTICUT
CONSERVATION COMMISSION
TOWN HALL - 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 341-1170 • FAX (203) 341-1088

TOWN OF WESTPORT
WATERWAY PROTECTION PERMIT

No. IWW, WPL-12231-25

Effective Date: November 19, 2025

This PERMIT authorizes Glengate Company, APPLICANT and Phillip & Jessica Polito, OWNER, to conduct the following REGULATED ACTIVITY: To construct a garage bay addition with upper deck, porch structure with upper deck, outdoor kitchen, prefab shed, masonry gas fireplace, outdoor shower, driveway and an engineered retaining wall within the upland review area setbacks and WPL of onsite wetlands that drain to New Creek on the property located at 58 Turkey Hill Road South ; Specifically, Assessor's Map: G07 Tax Lot: 036, Westport, Connecticut; in conformance with the laws of the State of Connecticut, and the Town of Westport.

This PERMIT is issued upon application of the PERMITTEE in accordance with the Regulations for the Protection and Preservation of Wetlands and Watercourses of Westport and the Waterway Protection Line Ordinance, and the CONDITIONS OF APPROVAL listed in the Resolution adopted at the Conservation Commission's meeting convened on the above-referenced date.

Acceptance and application of this license is both an implied and expressed agreement by the holder and his agents to comply with and adhere to all terms and conditions of this permit.

No change or revision of this permit may occur without the prior written authorization of the Conservation Director, said authorization to be issued only upon submission of a written request describing the proposed deviation and supporting reason. **Similarly, this permit is non-transferable. Requests for such transfers are to be submitted in writing to the Conservation Director describing the proposed transfer, the reason for such transfer, and an acknowledgment that nothing regarding the transfer shall in any way shift or limit the liability of any other person unless and until the transfer is authorized in writing by the Conservation Director.**

In issuing this PERMIT, the Conservation Commission has relied upon the applicant's assurances, and makes no warranties, either expressed or implied, and assumes no liability with regard to the structural integrity of the design of any structures, or to the engineering feasibility of efficacy of such design.

In event that the Permit Holder becomes aware that there may be a noncompliance with any provision of the approval, the Permit Holder shall immediately inform the Conservation Director, and shall take all reasonable steps to ensure that any noncompliance is avoided, or, if unavoidable, minimized to the greatest extent possible, with such notification not excusing the noncompliance.

The holder of the PERMIT, and his agents and representatives, acknowledges that the issuance of the PERMIT does not in any way relieve or excuse said PERMITTEE of the obligation to obtain any other approvals required by applicable local, state, and federal law.

FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS CERTIFICATE WILL SUBJECT THE CERTIFICATE HOLDER, TO ENFORCEMENT ACTIONS, INCLUDING PENALTIES AS PROVIDED BY LAW.

Westport Conservation Commission

A handwritten signature in blue ink that reads "Joshua Lewi" followed by a stylized monogram.

Joshua Lewi
Chairperson

**Town of Westport
Conservation Commission
FINDINGS
Application #IWW-WPL-12231-25
58 Turkey Hill Road South
Assessor's Map: G07 Tax Lot: 036
Public Hearing: November 19, 2025**

1. **Applicant:** Glengate
2. **Owner of Record:** Phillip & Jessica Polito

3. **Application Request:** The applicant is proposing to construct a garage bay addition with upper deck, porch structure with upper deck, outdoor kitchen, prefab shed, masonry gas fireplace, outdoor shower, driveway and an engineered retaining wall. Portions of the work are within the upland review area setbacks and WPL of onsite wetlands that drain to New Creek.

4. **Plans Reviewed:**
 - a. **Site Development Plan**, prepared for Glengate, 58 Turkey Hill Road South, Westport, CT, prepared by Kousidis Engineering, LLC, dated September 10, 2025, Scale: 1" = 20'. Sheet 1 of 1.
 - b. **Soils Investigation Report**, 58 Turkey Hill Road South Westport, CT- prepared by Soil & Wetland Science LLC. dated July 3, 2015, revised April 12, 2019.
 - c. **Drainage Analysis (report)**, prepared for Glengate, located at 58 Turkey Hill Road South, Westport, CT, prepared by Kousidis Engineering, LLC, dated September 10, 2025.
 - d. **Wetlands Buffer Plan**, Polito Residence, 58 Turkey Hill Road South, Westport, CT, 06880, prepared by Glengate, dated October 16, 2025, P-1.3.
 - e. **(Arborist Report)**, Dead Standing ash trees neighboring the landscape of 58 Turkey Hill Road South, Westport CT, prepared for Glengate Company, prepared by Arbor Care Specialists, dated November 17, 2025.
 - f. **The Polito Residence (Architectural Renderings)**, 58 Turkey Hill Road South, Westport, CT, 06880, prepared by Glengate, dated September 11, 2025.
 - i. Set Cover Sheet
 - ii. Arch. Structures – Site & Demo Plan Sheet D1
 - iii. Arch. Structures General Notes Sheet G1
 - iv. Arch. Structures Roof Plan Sheet A0.0
 - v. Arch. Patio Structure Plans Sheet A-1.0
 - vi. Arch. Garage Bay Plans Sheet A1.1
 - vii. Arch. Prefab Sports Shed N.I.C. Sheet A-1.2

5. **Past Permits:**
 - a. AA-WPLE-11332-21– Pool
 - b. AA-WPLE-11331-21 – Septic
 - c. AA-WPLE-11531-22 – Tree, fence, footbridge

6. **Property Description:**
 - a. **Location of 25-year flood boundary:** The Waterway Protection Line Ordinance boundary will be 15' from the flagged wetland boundary or from the 25-year flood boundary, whichever is greater.
 - b. The parcel contains a single family residence built in 2021.
 - c. Parcel does not exist within the Aquifer Protection Overlay Zone.
 - d. Parcels do not exist within the Coastal Areas Management Zone.
 - e. The property is situated in Flood Zones X as shown on F.I.R.M. Panel 09001C0414G Map revised to July 8, 2013
 - f. **Lot Size:** 1.86 acres (80,926 sq. ft.)
 - g. **Base Lot Area:** 52,045 sq. ft.
 - h. **Existing Site Coverage:** 15.55% (8,092 sq. ft.)

- i. **Proposed Site Coverage:** 16.00% (8,327 sq. ft.)
- j. **Existing Building Coverage:** 5.13% (2,672)
- k. **Proposed Building Coverage:** 7.73% (4,022 sq. ft.)
- l. **Proposed Covered Porch Elevation:** 86.10 ft.
- m. **Proposed Top of Wall Elevation:** 80-84 ft.
- n. **Proposed Bottom of Wall Elevation:** 76-81 ft.
- o. **Garage Addition Floor Elevation:** ~87 ft.
- p. **Sewer:** The residence is proposed to be served by septic.
- q. **Residential Zone:** Zone AAA
- r. **Health Approvals:** Accessory Structures and Addition (9-16-2025)

7. IWW and WPLO Regulated Areas

The IWW resources include a depressional wetland north of the existing pool and an intermittent watercourse and riparian south of the pool. The wetland is associated with an intermittent watercourse. The wetland consists mostly of wet meadow featuring some trees and shrubs. The wetland and watercourse drain towards offsite toward New Creek. The Waterway Protection Line is established 15' from the 25-year flood boundary on the property. There will be minor grading and earth disturbance related to the retaining wall within the WPL.

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

50' upland review area for a residential addition,

30' upland review area for a driveway, patio, retaining walls, walkways, shed, and covered porch, and outdoor kitchen

20' upland review area for the proposed drainage system, excavation, fill, grading, and other alterations.

The garage addition is within the 50 ft review area. The covered porch, patio, walkways, shed, and retaining walls are within the 30 ft setback. The proposed steps, walkway and retaining walls are located outside the 20 ft. upland review area

Wetlands Description:

Soils investigation Report 58 Turkey Hill Road South Westport, CT- prepared by Soil & Wetland Science LLC. dated July 3, 2015, revised April 12, 2019 describes the following

Wetland soils occurring on the property:

Ridgebury, Leicester and Whitman Soils, extremely stony (3) - These soils are poorly drained and very poorly drained loamy soils formed in glacial till. This component occurs on upland drainageways and depression landforms.

Non-wetland soils were identified as:

Sutton Fine Sandy Loam (50) - This soil unit consists of gently sloping, moderately well drained soil found in slight depressions and on the sides of hills and ridges.

Udorthents-Urban land complex (306) - disturbed land areas containing fill.

8. 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:

The property is the site of an existing single family dwelling, constructed in 2021. The side yard(north)contains a pool. The applicant proposes to construct patio, walkways, and an outdoor kitchen around the pool. The expansion of patio

around the pool will necessitate a retaining wall to create a level terrace. New stormwater retention units will be added to the existing stormwater system. The applicant is claiming the retaining wall as a permanent demarcation of development from planted wetland.

The patio will be ~The proposed porch and shed will be located ~29' from the closest wetland line. The proposed pool patio will be located ~25' from the nearest wetland boundary. Walls will be located ~15' from the nearest wetland boundary. The proposed garage addition will be constructed ~48' from the nearest wetland boundary.

The size of the patio and the extent of retaining wall are not minimized. The Commission finds there is opportunity to reduce the extent of the patio to stay completely out of the non-disturbance buffer. The encroachment of the retaining wall could be reduced. The Commission finds the proposed development as a high intensity activity on a spatially limited site. The Commission finds the Commission should have a discussion with the applicant about keeping materials and equipment out of the wetlands. The Commission agreed a site monitor is necessary and required the site monitor to provide monthly reports. The Commission discussed if alternative layouts were considered. The pool patio is within existing lawn and a portion of the lawn will be planted with native plants. The entire project does not pose significant risk of pollution to the wetland or waterway if E&S controls are properly installed and maintained. There is no fish habitat on or adjacent to the site. The Commission finds the development as de minimis risk of impact to fish and wildlife 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 intermittent watercourse on the site is a tributary to New Creek, State Surface Water ID: CT7000-13. The local watershed basin (ID # 7000-13) for New Creek has a combined condition index (CCI) score of 0.17. A CCI score of less than 0.43 indicates the watershed basin may be significantly impaired. The Tool defines New Creek's Recovery Status as "Mitigation", identifying that the watershed condition can be improved with mitigation efforts such as restoring naturalized riparian zones and enhancing tree canopy.

The site has three existing areas of stormwater storage. The project proposes to expand each of the three stormwater systems to treat the runoff from the 25-year storm and the first flush (water quality volume) of all new impervious surfaces. System #1 will be expanded from 80 to 120 linear feet LF of 12" high precast concrete galleries. System #2 will be expanded from 64 to 80 LF of 18" high precast concrete galleries. System #3 will be expanded from 56 LF to 112 LF of 18" high precast concrete galleries. The combined storage volume will be 1,421 cu.ft., which exceeds the minimum required storage volume by Town drainage standards. With the expansion of the site infiltration capacity, peak runoff rates during the 25-year storm (7.49 cfs to 6.99 cfs) across the site will not be increased for the total proposed 8,200-sq.ft of impervious surface. The Commission finds the expansion of site drainage as a significant benefit to stormwater quality by reducing pathways for erosion and surface water pollution.

The applicant provides an extensive native buffer planting plan to be implemented within 20 foot buffer and upgradient lawned portions of the eastern and western wetlands. The planting includes various shrubs, herbaceous plants and seed mix to create a buffer that would intercept any additional runoff from the yard. This buffer is a water quality feature that provides treatment to the pollutants found in stormwater runoff prior to entering the wetland and watercourse. The Commission finds this buffer would be an improvement over the current condition of unmanaged plants and be beneficial to water quality versus a lawned wetland. Dead trees proposed to be removed within the wetland and 20'foot buffer should be replaced on a two-to-one ratio.

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:

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 aquatic animal and vegetative community of the onsite watercourse and wetlands.

The applicant has provided sediment and erosion controls on the “Site Development Plan” which incorporates the use of perimeter silt-fencing, soil stockpiles contained with silt fence, and an anti-mud tracking pad at the driveway entrance. The proposed soil stockpiles will be located ~22’ & 27’ from the nearest wetland boundary. Proper installation and continued maintenance of these features should be adequate to control sediments onsite. The Commission finds the site is limited in space for operating equipment and staging materials. The Commission requires a site sequencing narrative to ensure the construction contractors are not creating too much simultaneous disturbance.

In a memo from the Town Engineering Department dated November 13, 2025, Engineer Edward Gill stated, “*The plan depicts silt fencing, an anti-tracking pad construction entrance, and stockpile areas. Thus, the project substantially complies with Sedimentation & Erosion Control requirements.*”

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 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 no populations of State Endangered, Threatened, or Special Concern species (RCA Sec. 26-306), and no Critical Habitats documented within or in close proximity to the subject property. The Commission requires no further consultation for state listed species or sensitive habitats.

Vegetation adjacent to wetlands and watercourse provide shelter and habitat for wildlife. The Commission finds the applicant has provided a buffer planting plan to facilitate restoration and naturalization of the onsite wetland. Overall, the planting plan scopes 77 native shrubs and 154 herbaceous plants within the riparian buffer. The proposed 5-gallon shrubs include dogwood, redbud, pussywillow, inkberry, arrowwood, hornbeam and smooth leaf hydrangea. The proposed 1-gallon herbaceous plants include little bluestem, tufted hair grass, switch grass, joe pye weed, milkweed, and ironweed. In between the planting, the applicant proposes New England wetland seed mix. The Commission finds all of the plantings to be of the appropriate species, size, and density. The Commission requires a performance bond be paid for the full cost of the planting and held for one full growing season. The Commission requires the plantings to be installed by hand prior to the issuance of a Conservation Certificate of Compliance. Mulching within this area should be done once with organic leaf mulch. Overall, The Commission finds the planting plan to be very extensive and beneficial to the site and the adjacent ecosystem of the river.

The applicant submitted an arborist report during the Commission meeting. The report stated the standing dead trees are mostly ash trees. The report stated the ash trees have limited viability as standing dead wood habitat and would better benefit the wetland to be felled and left in the wetland. Staff agrees with the arborist’s assessment, and would

recommend the allowance of felled trees to be left within the wetland. Felled dead trees can provide habitat for woodland mammals, birds, insects, and amphibians.

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:

The expanded stormwater system is sized to handle the first inch of runoff for WQV as well as meeting the Town of Westport Drainage Standards for a 25-year storm event. The peak runoff rate from the overall site will be slightly reduced, from 7.49 cfs to 6.99 cfs. In a memo from the Town Engineering Department dated November 13, 2025, Engineer Edward Gill stated, "*The storm water drainage systems previously approved on the site have been re-analyzed and expanded where necessary to comply with Town of Westport standards.*"

The Commission finds that the expanded stormwater systems across the property will be the primary stormwater storage for the site. The slot drains within the patios, roof leaders off of the, garage addition, shed, and covered porch will convey collected runoff to the stormwater infiltrators. Stormwater runoff from the driveway will be collected by catch basins within the new driveway, and the stormwater will be conveyed to the infiltrators. The Commission requires a certification from the Site Engineer that all site drainage features are installed correctly, and are functioning as designed, prior to the issuance of a Conservation Certificate of Compliance.

The site development plan proposes moderate excavation and grading in the rear (west) yard, but The Commission finds that the site's overall runoff discharge pattern will be maintained. Stormwater not collected by the drainage system will sheet flow towards the wetland and eventually discharge to the surface water of the onsite wetland. Engineer Edward Gill stated, "*The proposed grading complies with Town of Westport requirements and has been kept outside of the Waterway Protection Lines.*" The Commission finds that the site's flood capacity to transmit and absorb flood water will not be reduced and will be improved with the buffer plantings.

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:

The current application will not have an 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 25-year flood boundary onsite. Earthwork related to the retaining wall will be located within the WPLO. The retaining wall is located on top of the WPL. The Commission finds the limited work within the WPL will have little potential impact on water quality and natural habitat of the wetland resource. The Commission finds that, as long as E&S controls are properly installed and maintained and contours with the slope easement are restored to the natural slope, then no impacts will occur within the Waterway Protection Line.



WESTPORT, CONNECTICUT
CONSERVATION COMMISSION
TOWN HALL - 110 MYRTLE AVENUE
WESTPORT, CONNECTICUT 06880
(203) 341-1170 • FAX (203) 341-1088

November 20, 2025

Phillip & Jessica Polito
58 Turkey Hill Road South
Westport, CT 06880

Re: 58 Turkey Hill Rd South, Westport, CT
Application #IWW-WPL-12231-25

Dear Mr. & Mrs. Polito,

This letter serves to confirm that at its November 19, 2025 meeting, the Conservation Commission reviewed and approved the above-referenced application. The applicant proposed to construct a garage bay addition with upper deck, porch structure with upper deck, outdoor kitchen, prefab shed, masonry gas fireplace, outdoor shower, driveway and an engineered retaining wall within the upland review area setbacks and WPL of onsite wetlands that drain to New Creek at 58 Turkey Hill Rd South. The permit, findings, and resolution are being sent to you by e-mail, regular mail and by certified mail.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Joshua Lewi
Conservation Commission Chair

CC: Glengate Company

Attn: Sean Gerrity

47 Old Ridgefield Road

Wilton, Connecticut 06897