



WESTPORT, CONNECTICUT

FLOOD AND EROSION CONTROL BOARD

TOWN HALL, 110 MYRTLE AVENUE

WESTPORT, CONNECTICUT 06880

(203) 341-1120

MINUTES

Flood & Erosion Control Board Meeting of October 5, 2016

Present for the Board: Thomas B. Hood, Jr. (Chair)
Preston H. Koster
John M. Toi

Present for Department of Public Works: Keith S. Wilberg, PE, LS

Thomas B. Hood, Jr., Chair, opened the meeting at 7:30 pm.

1. **1 Bluff Point (Cedar Point Yacht Club) / Application WPL #10290-16;** *Application of Achilles Architects on behalf of the owners, Cedar Point Yacht Club, Trustees, for demolition of an existing shed, the construction of a new utility building, the construction of an addition and a pavilion to an existing building, and the installation of storm water drainage systems and related site grading and utilities. The site is entirely within the WPL area of the Saugatuck River.*

This application was withdrawn prior to the meeting, and thus was not presented or voted upon.

2. **20 Jesup Road (Westport Public Library) / Application WPL #10291-16;** *Application of Redniss & Mead, Inc., on behalf of the owners, the Town of Westport, for the installation of a new entrance at the north of the building with new stair access and handicap accessible sidewalks; new entrance terraces at the south and west of the building; and related site grading. A portion of the proposed activity is within the WPL area of the Saugatuck River.*

The project was presented by Richard W. Redniss, AICP, from Redniss & Mead, on behalf of the owner, the Town of Westport. Lawrence P. Weisman, Esquire, acting in a volunteer capacity for the Westport Public Library, supplemented the presentation.

There were questions from the Board regarding the construction process with respect to excavation and sedimentation and erosion controls; what the proposed activity includes; how many trees are to be removed and how many added; was the Town Tree Warden involved in the project; the nature of the construction materials to be used; is the activity being done because it is required, i.e. is something currently failing, or is it discretionary; are there any FEMA issues with respect to this project; is there a sediment and erosion control plan; are hay bales to be used as an S&E control measure; and where the stockpile area is proposed to be.

Per the Chair's request, Keith Wilberg summarized the Engineering Department's review of the project, stating that it was substantially in compliance with Town of Westport requirements. He stated that Peter Ratkiewich, PE, the Town Engineer, had submitted to Planning & Zoning correspondence dated 09/28/2016 approving grading that is steeper than the allowable standard per P & Z regulations (3H:1V proposed versus 5H:1V standard allowable).

The Chair asked if there were any comments or questions from the Public. There were none.

The Board went into Work Session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 9 and 10.

DECISION: Proposed Project Approved, 3(Y)-0(N), with the above referenced Standard Conditions of Approval.

3. **126 Harbor Road / Application WPL #10292-16; Application of Richard F. Kordas on behalf of the owners, 126 Harbor Road, LLC, for the construction of a new in-ground swimming pool, patio, and associated site improvements. The majority of the proposed activity is with the WPL area of the Saugatuck River.**

The project was presented by Garrett Wilson of Garrett Wilson Builders on behalf of the owner, 126 Harbor Road, LLC.

There were questions from the Board regarding why the pool equipment is under the jurisdiction of FEMA but the pool itself is not; the geometry of the proposed patio; is there any decking proposed; and where the existing drainage system is located.

Per the Chair's request, Keith Wilberg summarized the Engineering Department's review of the project, stating that it was substantially in compliance with Town of Westport requirements. He stated that the drainage system that was installed as part of the recent dwelling construction accommodates this newly proposed impervious area. A drainage report prepared by Hemraj H. Khona, PE, of HK Associates, on file in the Planning & Zoning office substantiates this.

The Chair asked if there were any comments or questions from the Public. There were none.

The Board went into Work Session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 6 and 8.

DECISION: Proposed Project Approved, 3(Y)-0(N), with the above referenced Standard Conditions of Approval.

4. **61 Kings Highway South / Application IWW, WPL #10293-16;** *Application of Richard Bennett & Associates, LLC, on behalf of the owners, Joseph Mark Valeski, for the construction of a new single family dwelling with driveway, patio, retaining wall, storm water drainage system, and associated site improvements. A portion of the proposed activity is within the WPL area of an unnamed tributary of the Saugatuck River.*

The project was presented by Richard Bennett, PE, from Richard Bennett & Associates, LLC, on behalf of the owner, Joseph Mark Valeski.

There were questions from the Board regarding the location of the sanitary sewer on the property; the nature of or amount of excavation to be done; where the project will encroach on the wetlands; will this activity create any drainage problems or flooding on the adjacent properties; the nature of the grading of the site and the stream at the rear of the property; was the engineer aware of any past history of flooding; is there standing water in the brook or on the site; the nature of the detention system design; the size of the proposed retaining wall; will the runoff from the driveway flood the house; the height of the finished floor; the elevation of the detention galleries with respect to the ground water table; is there room for a proposed future pool; does the driveway include curbing; and what types of drainage system designs might be added to those currently proposed.

Per the Chair's request, Keith Wilberg summarized the Engineering Department's review of the project, stating that aspects of the proposed activity substantially comply with Town of Westport requirements: the site grading, the S&E controls, and the FEMA issues. Some aspects do not comply: the storm water drainage. He stated that the design as proposed will need to be revised. Revised development plans and a revised drainage report would be required. He recommended that this application be continued to the next regular meeting, by which time the project engineer will be able to address the drainage system issues.

The Chair asked if there were any comments or questions from the Public. The following people spoke regarding the application.

Jason A. Stiber of 11 Birchwood Lane spoke. His property abuts the proposed project to the southeast. He stated that the brook on this parcel does tend to flood, and that it drains slowly after a storm event. He is concerned with potential flooding, especially in large storm events, such as Sandy. He is also concerned that the construction process will affect and alter the drainage patterns in this area, and his property will receive additional flood waters. He stated that he is not in favor of this project.

Marc E. and Jennifer Gold of 9 Birchwood Lane spoke. Their property abuts the proposed project to the south. Marc stated that his parcel has experienced flooding since moving in in 2003. His basement flooded during a major storm. They have had to retro-fit their basement to address the flooding. He believes that his property has gotten damper over 15 years. Jennifer stated that the yard is quite often mucky and wet, and she is concerned that this project will add to the flooding. Marc stated that he read a Cease & Desist Order in the Conservation Department file regarding the placement of fill on the site, and a note written by Alicia Mozian of Conservation stating that wetlands will be of major concern with this site. Marc stated that he is not sure if the placement of the fill was or is legally conforming.

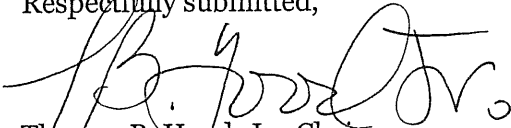
Curtis Angell, General Manager of Birchwood Country Club, 25 Kings Highway South, spoke. Their property abuts the proposed project to the north. He stated that he has general concerns regarding how this development might adversely affect his property.

The Board went into Work Session. It was agreed that this application should be continued until such time that the issues raised at this meeting could be resolved. A question was raised as to whether the adjoining properties should retain their own independent reviewer for this project. It was agreed that continuing this project would allow time for this review.

DECISION: Proposed Project Continued, 3(Y)-0(N).

The meeting was adjourned at 8:40 pm.

Respectfully submitted,



Thomas B. Hood, Jr., Chair
Flood & Erosion Control Board

TBH/ksw

Cc: First Selectman, Town Attorney, Public Works Director, Planning & Zoning Director, Conservation Director, Chair of RTM Environmental Committee, Chair of RTM Public Works Committee, Applicants, minutes@westportct.gov

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STANDARD CONDITIONS OF APPROVAL:

1. Applicant shall provide adequate sedimentation and erosion control devices on all filled embankments and along all exposed slopes, from the time that construction begins until such time that established ground cover has grown in. More specifically, the toe of filled slopes shall be protected by silt fencing and hay bales or other approved measures, and the face of all exposed slopes shall be protected with hay matting or other approved measures until such time that the slopes have stabilized.
2. Proposed site grading, as well as development in general, shall not alter drainage patterns to the detriment of adjoining or downstream properties.
3. All drainage facilities shall be designed to comply with the Town of Westport Engineering Department Storm Water Drainage Design Standards as amended to date (current revision date, 10/01/2014).
4. Applicants shall excavate test pits and conduct percolation tests at the proposed location of any storm water leaching facilities such as drywells, galleries, and stone pits. The test pits shall be witnessed and approved by the Engineering Department prior to installation of the proposed detention system.
5. The area under the proposed deck shall be excavated to a minimum depth of 6" and filled with ¾" crushed stone, or use an alternative drainage methodology as approved by the Town Engineer.
6. All construction shall conform to the requirements of the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP), as outlined in publication ASCE/SEI 24-14, "Flood Resistant Design and Construction," as amended to date.
7. All enclosed spaces below the Base Flood Elevation shall be constructed in conformance with FEMA Technical Bulletin 1-08, "Openings in Foundation Walls and Walls of Enclosures."
8. All final plans, details, and calculations shall be reviewed and approved by the Town Engineer.
9. All proposed work within the regulated area shall be subject to final approval by both the Town Engineer and the Conservation Director.
10. All plantings within the regulated area shall be as approved by the Westport Conservation Commission. No significant fill shall be placed within the WPLO setback other than that incidental to the plantings.
11. If the scope of this project increases or changes in any significant way, all additional or modified proposed work shall be approved by the Flood & Erosion Control Board and the Conservation Commission **prior to its commencement**, not after its completion.
12. Prior to any site disturbance, the Applicant shall prepare a comprehensive Storm Water Pollution Control Plan (SWPCP) in accordance with Connecticut Department of Energy and Environmental Protection (CT DEEP) requirements under DEEP-WPED-GP-015, General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities, effective 10/01/2013. For areas of disturbance between 1 and 5 acres, this plan shall be placed on file with the Planning & Zoning (P&Z) Department as part of the P&Z Permit. For areas of disturbance greater than 5 acres, the Applicant is required to register with CT DEEP.
13. All culverts passing under Town owned or private roads shall be designed to accommodate the 100-year storm at a minimum.
14. The proposed sleeve for the force sewer line shall be placed at least 3 feet below the existing bottom of the stream bed, and shall extend at least 5 feet beyond the stream bank on either side of the stream. The sleeve shall be bedded in compacted processed aggregate.



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LEGAL NOTICE OF DECISION

Notice is hereby given that at a meeting held on October 5, 2016, the Westport Flood & Erosion Control Board took the following actions:

1. **1 Bluff Point (Cedar Point Yacht Club) / Application WPL #10290-16; WITHDRAWN – NO DECISION.** This application was withdrawn prior to the meeting, and thus was not presented. Application of Achilles Architects on behalf of the owners, Cedar Point Yacht Club, Trustees, for demolition of an existing shed, the construction of a new utility building, the construction of an addition and a pavilion to an existing building, and the installation of storm water drainage systems and related site grading and utilities. The site is entirely within the WPL area of the Saugatuck River.
2. **20 Jesup Road (Westport Public Library) / Application WPL #10291-16; APPROVED WITH CONDITIONS.** Application of Redniss & Mead, Inc., on behalf of the owners, the Town of Westport, for the installation of a new entrance at the north of the building with new stair access and handicap accessible sidewalks; new entrance terraces at the south and west of the building; and related site grading. A portion of the proposed activity is within the WPL area of the Saugatuck River.
3. **126 Harbor Road / Application WPL #10292-16; APPROVED WITH CONDITIONS.** Application of Richard F. Kordas on behalf of the owners, 126 Harbor Road, LLC, for the construction of a new in-ground swimming pool, patio, and associated site improvements. The majority of the proposed activity is with the WPL area of the Saugatuck River.
4. **61 Kings Highway South / Application IWW, WPL #10293-16; CONTINUED TO NEXT REGULAR MEETING.** Application of Richard Bennett & Associates, LLC, on behalf of the owners, Joseph Mark Valeski, for the construction of a new single family dwelling with driveway, patio, retaining wall, storm water drainage system, and associated site improvements. A portion of the proposed activity is within the WPL area of an unnamed tributary of the Saugatuck River.

Applications, plans, and decisions may be examined in the Public Works Office, Room 210, Town Hall, 110 Myrtle Avenue, Monday through Friday, 8:30 am to 4:30 pm.

Thomas B. Hood, Jr., Chair
Flood & Erosion Control Board

[NOT TO PUBLISH BELOW HERE]

TO BE PUBLISHED IN THE OCTOBER 14, 2016, EDITION OF THE WESTPORT NEWS



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October 11, 2016

TOWN ATTORNEY'S OFFICE
TOWN OF WESTPORT, TOWN HALL
110 MYRTLE AVENUE ROOM 311
WESTPORT, CT 06880

20 Jesup Road (Westport Public Library) / Application WPL #10291-16;
Application of Redniss & Mead, Inc., on behalf of the owners, the Town of Westport, for the installation of a new entrance at the north of the building with new stair access and handicap accessible sidewalks; new entrance terraces at the south and west of the building; and related site grading. A portion of the proposed activity is within the WPL area of the Saugatuck River.

Please be advised that at its October 5, 2016, meeting, the Westport Flood & Erosion Control Board resolved to APPROVE WITH CONDITIONS the above referenced application. Details of the meeting are recorded in the attached meeting minutes.

Please contact the Engineering Department should you have any questions regarding this matter.

Respectfully,

Thomas B. Hood, Jr., Chair
Westport Flood & Erosion Control Board.

TBH/ksw

Cc: First Selectman, Town Attorney, Public Works Director, Planning & Zoning Director, Conservation Director, Chair of RTM Environmental Committee, Chair of RTM Public Works Committee, Applicants



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October 11, 2016

DAVID R. GINTER, PE
REDNISS & MEAD, INC.
22 FIRST STREET
STAMFORD, CT 06905

20 Jesup Road (Westport Public Library) / Application WPL #10291-16; Application of Redniss & Mead, Inc., on behalf of the owners, the Town of Westport, for the installation of a new entrance at the north of the building with new stair access and handicap accessible sidewalks; new entrance terraces at the south and west of the building; and related site grading. A portion of the proposed activity is within the WPL area of the Saugatuck River.

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October 11, 2016

126 HARBOR RD LLC
PO BOX 568
SOUTHPORT, CT 06890

126 Harbor Road / Application WPL #10292-16; Application of Richard F. Kordas on behalf of the owners, 126 Harbor Road, LLC, for the construction of a new in-ground swimming pool, patio, and associated site improvements. The majority of the proposed activity is with the WPL area of the Saugatuck River.

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October 11, 2016

RICHARD F. KORDAS
PO BOX 568
SOUTHPORT, CT 06890

126 Harbor Road / Application WPL #10292-16; Application of Richard F. Kordas on behalf of the owners, 126 Harbor Road, LLC, for the construction of a new in-ground swimming pool, patio, and associated site improvements. The majority of the proposed activity is with the WPL area of the Saugatuck River.

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JOSEPH MARK VALESKI
61 KINGS HIGHWAY SOUTH
WESTPORT, CT 06880

61 Kings Highway South / Application IWW, WPL #10293-16; Application of Richard Bennett & Associates, LLC, on behalf of the owners, Joseph Mark Valeski, for the construction of a new single family dwelling with driveway, patio, retaining wall, storm water drainage system, and associated site improvements. A portion of the proposed activity is within the WPL area of an unnamed tributary of the Saugatuck River.

Please be advised that at its October 5, 2016, meeting, the Westport Flood & Erosion Control Board resolved to CONTINUE TO THE NEXT REGULAR MEETING the above referenced application. Details of the meeting are recorded in the attached meeting minutes.

Please contact the Engineering Department should you have any questions regarding this matter.

Respectfully,

Thomas B. Hood, Jr., Chair
Westport Flood & Erosion Control Board.

TBH/ksw

Cc: First Selectman, Town Attorney, Public Works Director, Planning & Zoning Director, Conservation Director, Chair of RTM Environmental Committee, Chair of RTM Public Works Committee, Applicants



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October 11, 2016

RICHARD BENNETT, PE
RICHARD BENNETT & ASSOCIATES, LLC
25 SYLVAN ROAD SOUTH, SUITE 'B'
WESTPORT, CT 06880

61 Kings Highway South / Application IWW, WPL #10293-16; Application of Richard Bennett & Associates, LLC, on behalf of the owners, Joseph Mark Valeski, for the construction of a new single family dwelling with driveway, patio, retaining wall, storm water drainage system, and associated site improvements. A portion of the proposed activity is within the WPL area of an unnamed tributary of the Saugatuck River.

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