



# 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 July 1, 2015

Present for the Board: Frank Donaldson (Chair)  
Edward Picard  
Arthur Greenberg

Present for the Department of Public Works: Peter Ratkiewicz, PE  
Keith Wilberg, PE, LS

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Frank Donaldson (Chair) opened the meeting at 7:30 pm.

1. **0 Quarter Mile Road (Map C14, Lot 5) / IWW / WPL#10023-15, Subdivision Application #15-033;**  
*Application of Eric Bernheim for a 1 lot subdivision.*

The project was presented by Bernard Nevas on behalf of the owner, Jobermar Properties, LLC.

There were questions from the Board regarding the extent of the site grading; the feasibility study for this subdivision and whether there is a building proposed for the site.

Per the Chair's request, Keith Wilberg summarized the Engineering Department's review of the project, stating that after some minor revisions by the engineer, the project was substantially in compliance with the Town of Westport requirements. It was stated that the soil testing indicated that the soils were good for drainage, and that there were no FEMA or flooding issues. This site is well suited for this type of proposed development.

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

The Board went into Work Session. No standard Conditions of Approval were deemed appropriate.

DECISION: Proposed Project Approved, 3(Y)-0(N), with no Conditions of Approval.

2. **4 Sea Spray Road / Application WPL#10026-15; Application of R. I. Pools, Inc., for a new pool and associated improvements.**

The project was presented by Franco Iannone from R. I. Pools, Inc., and by the property owner, Gregory Penny.

There were questions from the Board regarding the proposed grade of the outdoor shower; the underdrain for the outdoor shower; the pool equipment platform; the stockpile area and access to it; the proposed retaining wall; the silt fencing; the time sequencing of construction; the sewer line and when the septic system was removed; and the amount of driveway being removed.

Per the Chair's request, Keith Wilberg summarized the Engineering Department's review of the project, stating that it was substantially in compliance with the Town of Westport requirements.

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

The Board went into Work Session. The following Standard Conditions of Approval were deemed appropriate: Nos. 2, 6, 7, 8, and 11.

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

3. **41 Crescent Road / P&Z Resubdivision Application #15-029; Application of LANDTECH for a 4 lot subdivision and a Conservation/Open Space Easement.**

The project was presented by Michael Bartos, Jr, PE, of LANDTECH and one of the owners of the property, Roger Quick. Mr. Bartos indicated that the application is identical to the one presented in September 3, 2014, with the change that variances have been granted for the grading of the bio-retention basin.

There were no questions from the Board for the presenters.

Per the Chair's request, Keith Wilberg summarized the Engineering Department's review of the project, stating that it was substantially in compliance with the Town of Westport requirements. Since the application was essentially the same as that approved in September 2014, the same Staff Report applies and the same conditions of approval as summarized in the minutes from that meeting would apply.

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

The Board went into Work Session. The following Standard Conditions of Approval were deemed appropriate: Nos. 2, 3, 8, 11, 15, and 17. The following Special Conditions from the minutes of the 09/04/2014 FECB meeting were deemed appropriate: 7, 8, 9, and 10 (referred to below).

*7. A maintenance plan for the bio-retention area will be submitted for review and approval by the Town Engineer and the approved plan will be filed on the Town of Westport Land Records.*

*8. Actual construction will maintain the drainage and grading patterns as proposed.*

*9. Permeable driveway construction details will be submitted for review and approval by the Town Engineer.*

*10. Any changes resulting from the Planning and Zoning process which significantly impact the drainage or grading as proposed will require that the project be resubmitted to the Flood and Erosion Control Board for review.*

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

4. **18 Newtown Turnpike / Application IWW / WPL #10033-15;** *Application of LANDTECH for modifications to previously approved permits, numbers IWW 6678-01 and IWW / WPL 8147-07.*

The project was introduced by Alan Spirer, Esq., and presented by Juan Paredes, PE, of LANDTECH, on behalf of the owners of the property, Grassy Plains, LLC.

There were questions from the Board regarding the height of the block wall and the height of the fence atop the block wall; when and why was the block retaining wall built; are the dwellings on site currently occupied or still being built; and if the individual dwellings are owned by individual owners or by a company.

Per the Chair's request, Keith Wilberg summarized the Engineering Department's review of the project, stating that it was substantially in compliance with the Town of Westport requirements. The project is seeking to get approval for a list of outstanding non-complying items, and per the included environmental report prepared by Evans Associates, removing those items would create a greater disturbance than allowing them to remain. From the Engineering Department's review, these issues have little or no significant adverse engineering impacts regarding drainage and grading.

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

The Board went into Work Session. The following Standard Conditions of Approval were deemed appropriate: Nos. 2, 3, 8, 13, and 17.

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

5. **1 Glendinning Place / 25 Ford Road / Application IWW / WPL #10034-15;** *Application of Eric Bernheim/Larry Weisman for the removal of some surface parking, relocation of some surface parking, an underground parking garage, the construction of additional stories on an existing structure, pedestrian bridge, two (2) new buildings, new septic system, stream bank re-grading, paths and trail, widening of RT 57 entrance, and associated site improvements.*

The project was introduced by Larry Weisman, Esq., and presented by L. Wesley Stout of Wesley Stout Associates, and by Craig M. Lapinski, PE, of Fuss & O'Neill, for the owners of the properties, 1 Glendinning Place LLC and 25 Ford Road LLC (for Bridgewater Associates).

Wesley Stout presented the overall scope of the project, including the environmental benefits of the proposed activity. Craig Lapinski, PE, presented the technical aspects of the project, including the general layout of the parcels, the structures and drives, and the waterways; the flood lines and the ensuing FEMA issues, the Letter of Map Revision (LOMR), the Hydrologic and Hydraulic (H&H) (HEC-RAS) analysis; proposed flood-proofing; and storm water detention and water quality.

There were questions from the Board regarding the access to the underground garage; the location of the floodway, the flood plain, and the flood zones; the owners of the two (2) separate parcels; the logistics of the traffic patterns and construction timing and scheduling; the removal of the existing parking lot; the entrances to the site; construction of bridges and decks; and the revised FEMA lines.

Per the Chair's request, Peter Ratkiewicz summarized the Engineering Department's review of the project, stating that it was substantially in compliance with the Town of Westport requirements. Due to the project's scope and complexity, the Town had hired an independent third party consultant, GM2 Associates, Inc., to perform a peer review analysis. GM2's review and report stated, in short, that the project is substantially in compliance with the Town of Westport requirements, with only a few minor changes required, which could be done administratively. The design as proposed and reviewed is deemed to be conservative by both the Town and by GM2. Thus the project complies with Town requirements.

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

The Board went into Work Session. The following Standard Conditions of Approval were deemed appropriate: Nos. 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, and 20.

The following Special Condition of Approval was deemed appropriate:

Applicant shall comply with the recommendations as stipulated by the peer review analysis performed by GM2 Associates, Inc., and compliance to these recommendations shall be evaluated and reviewed administratively by the Town of Westport Engineering Department.

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

The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Frank Donaldson, Chairman  
Flood and Erosion Control Board

FD/ksw

Cc: First Selectman, Town Attorney, Director of Public Works, Director of Planning and Zoning, Zoning Enforcement Officer, Conservation Director, Building Official, RTM Environmental Committee, Chairman Public Works Committee, Applicants, League of Women Voters