



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 November 2, 2016

Present for the Board: Thomas B. Hood, Jr. (Chair)
Preston H. Koster
Arthur A. Greenberg
William S. Mazo

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

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This application was withdrawn prior to the meeting, and thus was not presented or voted upon.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. **61 Kings Highway South / Application IWW, WPL #10293-16 (continued from October 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.*

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

There were questions from the Board regarding the areas of the access way and private right-of-way and who owns and maintains it; the soil testing and the location and elevation of the groundwater table; which areas are to be collected and drained into the detention system; the location of the driveway curbing; how much the groundwater table is affected by any given rainstorm; is there more groundwater with the lot developed or not developed; will the surface water be increased by the development; how do the groundwater levels compare to

normal, since we are currently experiencing a drought; the nature of the fill material on the site; will some of the fill material be removed and replaced; is there a deck proposed for this dwelling; what is the impact of this development to 61 Kings Highway North; what the purpose of the stockpile area is; what are the sediment and erosion controls proposed; when were our drainage standards updated and what were the changes; what is the location of the curbing along the driveway; will the curbing function properly to capture all driveway runoff; .

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. The project engineer has revised the design of the storm water drainage system, and it now complies with Town standards. He recommended that several special conditions might be proposed. First, the site cannot accommodate a basement due to groundwater levels and the surrounding soils, and it should be stipulated that there should be no basement for this site; second, the retaining wall should be built first in order to act as an S & E control measure; third, the connection to the sanitary sewer may require dewatering measures when connected, and should be so delineated on the plan; fourth, the lot areas may need to be revised; and fifth, the lot will need to be granted an official house number.

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 he is downhill and downstream relative to the proposed development. He stated that the brook runs through his rear yard, and he has been at this location since 2007. He has witnessed several severe rain events over the years, including Irene and Sandy. He has a room at the rear of his dwelling that is on piers, and he has seen water from the stream flood up to his house line. He stated that he had a basement with a sump pump that runs regularly. He is concerned about the potential impact of this project with respect to storm water runoff and flooding. Will the development disturb the existing equilibrium? He stated that his yard is wet as of today even though we are experiencing a drought. In the spring, his yard floods due to the stream. He is afraid that by cutting across the wetland, the development will affect the existing drainage equilibrium of the area. He stated that he was fortunate that during storm Sandy, his property was not severely impacted, and his basement did not flood. He also asked about the specifications of the retaining wall to the rear of the house, as well as general questions about the storm water drainage system proposed. He stated that there is a PVC pipe that drains from the proposed project site into the brook just above his property. He didn't know how much water drained through the pipe, if any at all. He seemed to imply that the pipe must be coming from the subject parcel, or from 61 Kings Highway South. He was also concerned that the proposed construction might block this pipe and create a drainage problem.

Marc E. Gold of 9 Birchwood Lane spoke. His property abuts the proposed project to the south. He stated that he has in issue regarding the driveway cutting through the wetland at the access to the lot, but he is aware that it is more of a Conservation issue than F&ECB. He had another issue regarding the proposed retaining wall, and wanted it to be so stipulated that the wall be a permanent feature of the site. He would prefer it be specifically stated and documented.

When comment from the public was completed, the hearing was closed, and the Board went into Work Session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 2, 9, 10, and 11.

It was agreed that the following Special Conditions of Approval were deemed necessary:

- a. *The Proposed Retaining Wall.* The wall to the rear of the dwelling shall be installed prior to the development of the remainder of the site so as to act as a sedimentation and erosion control structure for the construction phase of development. This wall is to remain on site as part of the site, and be maintained in perpetuity.
- b. *Dwelling Construction: Slab on Grade, No Basement.* Due to the nature of the underlying soils and the existing groundwater table on the site, the proposed dwelling shall not be designed with a basement. It shall be of a "slab on grade" style of construction.
- c. *Drainage Pipe Coming Off the Site.* Should any existing drainage structures or piping be discovered on the site that are not currently depicted on the submitted plans, it shall be the responsibility of the contractor to investigate the nature and extent of such entities, and if required, modify the proposed design so as to create no adverse drainage impacts to the site or the surrounding properties. Any such modifications shall be reviewed by the Town Engineering Department to verify compliance with all Town requirements.

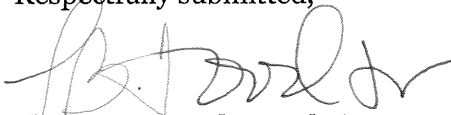
DECISION: Proposed Project Approved, 4(Y)-0(N), with the above referenced Standard and Special Conditions of Approval.

3. **1141 Post Road East / Application WPL #10300-16; Application of Redniss & Mead, Inc., on behalf of the owners, 1141 Post Rd E LLC, for the partial demolition and addition to an existing commercial building, and the construction of nine (9) multi-family residential buildings, totaling 42 residential units, pool house, pool, associated parking, drives, landscaping, storm water drainage, and utilities. A portion of the proposed activity is within the WPL area of Muddy Brook.**

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

The meeting was adjourned at 8:45 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 3/4" 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 November 2, 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. **61 Kings Highway South / Application IWW, WPL #10293-16; APPROVED WITH CONDITIONS.** 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.
3. **1141 Post Road East / Application WPL #10300-16; WITHDRAWN – NO DECISION.** This application was withdrawn prior to the meeting, and thus was not presented. Application of Redniss & Mead, Inc., on behalf of the owners, 1141 Post Rd E LLC, for the partial demolition and addition to an existing commercial building, and the construction of nine (9) multi-family residential buildings, totaling 42 residential units, pool house, pool, associated parking, drives, landscaping, storm water drainage, and utilities. A portion of the proposed activity is within the WPL area of Muddy Brook.

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

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Thomas B. Hood, Jr.
TOWN CLERK

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WESTPORT, CONNECTICUT

FLOOD AND EROSION CONTROL BOARD

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November 3, 2016

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 November 2, 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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November 3, 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.

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