



# 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 April 5, 2017

Present for the Board: William S. Mazo (Acting Chair)  
Arthur A. Greenberg  
John M. Toi

Present for Department of Public Works: Amrik S. Matharu, Engineer II

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William S. Mazo, opened the meeting at 7:40 pm.

1. **107 Old Road / Application IWW, WPL #10362-17 (Withdrawn);** *Application of LANDTECH, on behalf of the owners, Estate of Catherine D. Fleming, to subdivide an existing 6.12-acre lot into 4 residential lots, each to support a single family dwelling. This application was continued from the previous month's meeting of 03/01/2017. The site contains an unnamed tributary of Sasco Brook. A portion of the proposed activity is within the WPL area.*

This project was withdrawn prior to the meeting, and thus was not presented or voted upon.

2. **19 Duck Pond Road / Application WPL #10364-17;** *Application of Barr Associates, LLC, on behalf of the owners, Eric & Victoria Katz, for the construction of a proposed lap pool, terraces, and associated site improvements. The proposed activity is predominantly within the WPL area of the Saugatuck River.*

The project was presented by Melvin Barr, of Barr Associates, LLC, on behalf of the owners, Eric & Victoria Katz.

Per the Chair's request, Amrik S. Matharu summarized the Engineering Department's review of the project, stating that the proposed activity substantially complies with Town of Westport requirements. He would recommend approval.

There was a question from the Board regarding whether the design, shape, size, and location of the proposed pool might change in the near future.

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

The hearing was closed, and the Board went into Work Session. It was agreed that the following Standard Condition of Approval was deemed necessary: 8. (Refer to the appended sheet).

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

3. **15 Spriteview Avenue / Application WPL #10378-17;** *Application of LANDTECH, Inc., on behalf of the owner, Oliver Wilson, for the construction of a new single family dwelling, swimming pool, driveway, and associated site improvements. The entire proposed activity is within the WPL area of the Saugatuck River.*

The project was presented by Robert Pryor, PE, LS, of LANDTECH, Inc., on behalf of the owner, Oliver Wilson.

There were questions from the Board regarding the result of the Zoning Board of Appeals decision with respect to setbacks and coverage; whether any other items would be constructed to the rear of the property; material storage and construction sequence; and what items currently exist on the lot.

Per the Chair's request, Amrik S. Matharu summarized the Engineering Department's review of the project, stating that the proposed activity substantially complies with Town of Westport requirements. He would recommend approval.

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

The hearing was closed, and the Board went into Work Session. It was agreed that the following Standard Condition of Approval were deemed necessary: 8. (Refer to the appended sheet).

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

4. **793 Post Road East / Application IWW, WPL #10379-17;** *Application of Barr Associates, LLC, on behalf of the owners, DMC Westport, LLC, to construct a development consisting of 4 multi-family buildings totaling 14 townhouses, and 2 mixed-use buildings with both commercial and residential units. The application also includes parking areas, stormwater drainage, and related site improvements. A portion of the proposed activity is within the WPL area of an unnamed stream that drains into the West Parish Branch of Muddy Brook.*

The project was presented by Melvin Barr of Barr Associates, LLC, and Beth Evans of Evans Associates, LLC on behalf of the owners DMC Westport, LLC.

There were questions from the Board regarding the type of residential units; the similar developments in the area; how stormwater is directed into the drainage system; whether roof area is included in the drainage calculations; where the stormwater will be collected; whether the stormwater runoff continues onto adjacent residents beyond the wetlands; the percentage increase in runoff; how the increase in stormwater runoff is mitigated; the type of commercial use; the location of the commercial space within the mixed-use buildings; what the applicants are seeking at this meeting; whether there are pollution issues to be addressed; whether 93 parking spaces are excessive; the parking layout under the

townhouses are tandem; whether a construction company has been selected; and whether they will be condominiums.

There were further questions from the applicants to the Board regarding the impact of the review comments prepared by the Westport Engineering Department;

Per the Chair's request, Amrik S. Matharu summarized the Engineering Department's review of the project, stating that the proposed activity does not yet fully comply with Town of Westport requirements. He would recommend approval of the proposal upon review of revisions to the proposed grading and stormwater drainage. These revisions will require further review and therefore, he would recommend the continuation of the application.

The Board went into work session. It was agreed that this application should be continued until such time that the applicant can address the Engineering Department's concern.

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

5. **3 North Ridge Road / Application IWW, WPL #10380-17;** Application of Kousidis Engineering, LLC, on behalf of the owners, Sherri B. & Barry Raifaisen, for the construction of a new pool, patio area, retaining walls, and associated site improvements. A western portion of the proposed pool and patio area are within the WPL area of an unnamed tributary to Willow Brook.

The project was presented by Jim Kousidis, PE, of Kousidis Engineering, LLC., on behalf of the owner, Sherri B. & Barry Raifaisen.

There were questions from the Board regarding the effect of additional work on the proposed plantings; the reason for encroachment into the wetland setbacks; dimensions of the pool; the location of the property line as depicted on the plans; whether the project encroaches on the setbacks to the wetlands or the wetlands; concerns regarding the wet soil affecting the pool; the location of the Aspetuck Land Trust in relation to the property; the extent of the encroachment into the wetland setbacks; and whether pervious material was considered for the patio area.

Per the Chair's request, Amrik S. Matharu summarized the Engineering Department's review of the project, stating that the proposed activity substantially complies with Town of Westport requirements. He added that hay bales should be added as an additional sedimentation & erosion control measure. He recommends the approval of the application.

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

Carmine Calabrese of 190 North Avenue spoke. He stated that he is concerned with pool water being removed and discharged overland onto his property.

The applicant asked for clarification on whether neighbor's concern is with surface water, or the quality of water running onto his site.

The hearing was closed, and the Board went into Work Session. It was agreed that the following Standard Condition of Approval were deemed necessary: 9. (Refer to the appended sheet).

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

Once the agenda was completed, there was one item to discussed in Work Session.

6. **61 Kings Highway South / Application IWW, WPL #10293-16 (Approved at the November 2016 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.*

This project had been approved at a previous F&ECB meeting (11/02/2016). Since then the applicant has revised the initial design by modifying the footprint of the house, patio and driveway and adding a pool.

After deliberation, the Board decided that due to public response to the previous application, the proposed changes would require a formal public forum and meeting for approval.

DECISION: Resubmit Revised Application for Future Consideration, 3(Y)-0(N).

The meeting was adjourned at 8:47 pm.

Respectfully submitted,

William S. Mazo, Acting Chair  
Flood & Erosion Control Board

WSM/asm

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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