



# 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 September 6, 2017.

Present for the Board: William S. Mazo (Acting Chair)  
Arthur A. Greenberg  
Edward C. Picard

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

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William S. Mazo opened the meeting at 7:41 pm.

1. **793 Post Road East / Application IWW, WPL #10460-17;** *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.*

This project was presented by Mel Barr of Barr Associates, LLC, on behalf of the owners, DMC Westport, LLC.

There was a question from the Board regarding when the public notice went out for the meeting.

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 Conditions of Approval were deemed necessary. They are as follows: 1, 2, 9, 10, 11, and 12. (Refer to the appended sheet).

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

- A. *Construction Inspector.* The applicant shall be required to retain or provide inspection services for sediment & erosion control measures for the duration of all proposed construction.

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

2. **107 Old Road / Application IWW; WPL #10450-17;** *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. The site contains an unnamed tributary of Sasco Brook. A portion of the proposed activity is within the WPL area.*

This project was presented by Robert Pryor PE, LS, of LANDTECH, on behalf of the Estate of Catherine D. Fleming.

The Chair asked if there were any comments or questions from the public.

Eric Armour of 8 Hunt Club Lane spoke. He raised concerns regarding the impact of groundwater on higher elevation adjacent properties, ability of the Pavedrain system to function in a wetland and snow environment, the financial health of the company, maintenance of the system, whether ground water monitoring was performed.

John Tschirhart of 113 Old Road spoke. Mr. Tschirhart raised concern regarding the construction inspections previously required as a special condition.

Ann Lester of 8 Forest Drive spoke. She asked questions regarding the impact to trees and adjacent wetlands, groundwater, why the Pavedrain system is not used more frequently, and maintenance.

Mr. Pryor proceeded to respond to comments and questions raised by the public.

Per the Chair's request, Amrik S. Matharu summarized the Engineering Department's findings and recommendations for the project, and responded to some of the concerns raised, stating that the proposed activity does comply with Town of Westport requirements. He would advise approving the application with the appropriate standard and special recommendations.

There were questions from the Board regarding whether the trees planning to be removed will be replaced, whether a landscaping plan has been proposed, the location of the proposed houses.

The hearing was closed, and the Board went into Work Session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 9, 10, and 12. (Refer to the appended sheet).

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

1. The pervious paver detention system shall be inspected and vacuumed before and after the construction of each individual lot. Any impaired portion of the system shall be replaced in order to ensure its continued performance.

2. The design engineer shall inspect soil conditions at the time of excavation for the new culvert and placement of the coffer dam.
3. Temporary shoring shall be provided where necessary to prevent erosion along the roadway and coffer dam.
4. The culvert footings shall be placed at a depth below the frost elevation.
5. The Erosion and Sediment Control Plan set forth by the applicant, shall be strictly adhered to. Additional Sediment and Erosion Controls shall be installed if deemed necessary by either the Town Engineer, or the Conservation Director.
6. The pervious patios, roadway, and driveway are to remain pervious in perpetuity.
7. The applicant shall be required to provide or retain sediment & erosion control inspection services for the duration of all proposed construction, the roadway as well as the individual lots. Inspection services shall be performed on a weekly basis, and after each rainfall greater than or equal to ½”.

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

3. **9 Riverview Road / Application WPL #10437-17 (Continued from 07/05/2017);** Application of Redniss & Mead, Inc., on behalf of the owners, Jesse I. and Andrea Kerr Redniss, for the replacement of an existing fixed pier, gangway, and floating dock. The proposed activity is within the WPL area for the Saugatuck River.

The application was withdrawn, and no action was taken.

4. **54 Wilton Road / Application WPL #10438-17 (Continued from 07/05/2017);** *Application of William J. Fitzpatrick, Esq., on behalf of the owner, STC Green, LLC, for the renovation of an existing commercial building, the removal of a portion of another existing commercial building, and the construction of a 4-story residential building. The proposed new construction will include site improvements for the several buildings on the site, including asphalt parking lot, concrete walkways, underground utilities, a storm water drainage system, and environmental plantings. The proposed activity is within the WPL area for the Saugatuck River.*

The project was presented by Timothy Onderko, PE, of Langan Engineering & Environmental Services, Inc.

There were questions from the Board regarding the net effect of the development on stormwater runoff on the site, physical connections to adjacent properties, the impact during flooding, and the underground parking.

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.

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

5. **281 Compo Road South / Application WPL #10456-17;** *Application of Lucien Vita, on behalf of the owners, Ray and Indre Johnson, for the construction of a new single family dwelling, detached garage, pool, patio, and associated site appurtenances. The proposed activity is within the WPL area of Gray's Creek.*

The project was presented by Lucien Vita, on behalf of the owners, Ray and Indre Johnson. One of the owners, Indre Johnson, later spoke to some of the existing site appurtenances.

There were questions from the Board regarding the existing and proposed dwelling footprints, whether they are demolishing the existing house, whether there is an existing pool and patio, whether the proposed pool is entirely in the WPLO, whether there is a proposed deck, what material is proposed, whether the pool will be elevated, the depth of excavation for the pool, hydrostatic pressure on the pool due to a seasonal groundwater table, whether a sump pump is required, the estimated starting time for the new construction, the location of the stockpile, and whether there are other boards involved in the permitting process.

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.

The hearing was closed, and the Board went into Work Session.

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

WORK SESSION:

1. **9 Owenoke Park / Application WPL #10184-16;** The applicant is seeking to amend the previous approval for a new single family dwelling and related site improvements to include a revised deck layout of the same size, also meeting the same FEMA requirements.

The modification to the project was presented by Amrik Matharu, Engineer II, of the Town of Westport Engineering Department.

It was agreed that the application be amended to approve the plans per the latest revision.

DECISION: Proposed Amendment Approved, 3(Y)-0(N).

The meeting was adjourned at 9:35 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](mailto:minutes@westportct.gov)

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