



# WESTPORT, CONNECTICUT

## FLOOD AND EROSION CONTROL BOARD

TOWN HALL, 110 MYRTLE AVE.

WESTPORT, CONNECTICUT 06880

(203) 341-1120

### MINUTES

Flood & Erosion Control Board Meeting of December 5, 2012

Present for the Board: Michael Buchman  
Frank Donaldson  
Thomas Hood  
Edward Picard

Present for the Department of Public Works: Jim Kousidis

#### I. PUBLIC HEARING

1. **59 Post Road East / 35 Church Lane / Application WPL #9218-12;** Application of Bedford Square Associates, LLC for the redevelopment of portions of 59 Post Road East and 35 Church Lane involving selective demolition and reconstruction and associated site improvements. Portions of the work are within the WPLO setback of the Saugatuck River.

Karen Johnson introduced herself and stated that she represents Bedford Square Associates, the developers of Bedford Square. She stated that this application is before the Board because a portion of the property falls within the Waterway Protection Ordinance limits. Miss Johnson introduced Kyle Bogardus of Langan Engineering and he referred to an aerial photo which showed the proposed project site which is comprised of the historic YMCA property and the abutting Gunn property on Church Lane. Also visible were the surrounding properties and roadways. Mr. Bogardus pointed out the 100 year and waterway protection lines which were highlighted on the photo.

Miss Johnson stated that what the Applicant is providing in the post condition is a better condition than what currently exists today. The historic YMCA and firehouse building which are exempt from flood control requirements will be flood proofed. She also stated that as a result of discussions with Town staff the overall project will include a number of different layers of contingency that will be in place during construction.

Mr. Bogardus discussed elevations at various locations of the 1.4 acre project site. The photo he displayed showed that the Post Road East portion of the property is currently fully developed and that the Church lane portion (Gunn property) currently has a few structures and a lawn area.

He stated that about 15 percent of the project work will occur below elevation 9 and about 25 percent will be within the waterway protection line and will consist mainly of road and sidewalk work and utility trenching. There will be a slight reduction of building coverage within the WPL setback and 100 year floodline.

Miss Johnson gave the Board an overview of how the site will function relative to the regulatory lines.

Mr. Bogardus stated that with respect to storm water management, there is really no change in the surface treatment of storm water within the historical portion of the site as it is completely developed out to the property lines under existing and proposed conditions. One main improvement will be incorporated and that is that all connection points to the Town drainage system will have water quality treatment structures. With respect to the increase in impervious coverage at the Gunn property portion of the site (corner of Church and Elm), a detention pipe will be incorporated to mitigate the minor increase in flow associated with the change in impervious coverage. The oversized pipe will have detention capacity to contain storms up to a 25 year storm event. This will result in reduced flows under the proposed conditions. Any cross connections encountered in the historic section of the property will be corrected to prevent storm water from entering the sanitary sewer system.

Mr. Bogardus stated that silt fencing is not an option for this type of urban project so staked hay bales are being proposed to line the edge of the site to prevent the migration of soils. Existing catch basins in the vicinity of the site will be lined with silt sacks.

Mr. Bogardus stated that the excavation for the underground parking garage is described as a “hog and haul” operation whereby materials are removed offsite as they are excavated with very little material maintained on site. He continued discussing the excavation process, showing pictures of, and describing various excavation support techniques that are typically used for this type of project.

Mr. Bogardus described how groundwater or storm event water would be properly removed from the excavation and sediment settled out before the water is directed to the Town’s drainage system. He described in detail a system recommended by the CT DEEP referred to as a well point system which is useful for dewatering deeper excavations that encounter groundwater. The soils encountered at this site are very sandy with gravel which results in a cleaner groundwater than that encountered in a more clay like soil which is much more difficult to settle out in a dewatering process.

While referring to a drawing Mr. Bogardus described how the location for the dewatering connection to the Town storm system was chosen. His analysis demonstrated that this area was optimal for the inclusion of an overflow feature that would direct excess water back onto the project site. This would offer protection during a big storm event as overflow water would be captured in tanks where it could be held until the storm passes therefore not overburdening the Town system and flooding the adjoining streets.

Mr. Kousidis stated that the proposed drainage system along the Church Lane side of the property will enable the existing flow patterns and flow rates to be maintained.

Mr. Bogardus began discussing flood proofing and he stated that there are 2 types; active, and passive. Passive, he stated would be like flood proofing basement walls with a membrane. It is always there, no action is required. Active flood proofing is used in more extreme events when there is time to prepare for a flood condition and an example would be the use of gasketed panels bolted against an opening to prevent the passage of water. Mr. Bogardus displayed photos showing various types of active flood proofing. He displayed a detail showing a proposed active flood proofing system for this project which will provide flood proofing up to elevation 12, 2 feet above the 100 year flood elevation at this location.

Mr. Kousidis stated that the 5 points that he focused on as part of his review were the flood proofing, stormwater discharge from the property into the street, water quality measures, the dewatering process, and the excavation support system.

A discussion occurred concerning excavation support.

Mr. Kousidis stated that the first 3 points, flood proofing, storm water management, and water quality were addressed at the time of original submittal and with a few additional information packets received shortly afterwards. Since the issues with the dewatering process had to be addressed to demonstrate that the proposed pipe did have capacity to detain water during certain storm events. Then it had to be determined how this would be implemented. Mr. Kousidis stated that the system being proposed hours before this public hearing will not overburden the storm water system but he acknowledges that the Board has not had the opportunity to review this for themselves.

Based on the issues associated with the dewatering process and the excavation support system that the Board has not had the time to review, Mr. Kousidis stated that he suggests that this public hearing is continued and that the Applicant submit supplemental material.

A brief discussion took place concerning the possible reconfiguration of the intersection of Church Lane and Post Road East.

After the suggestion made by a Board member to conclude the public hearing, Miss Johnson questioned if the intent of the work session was to close the public hearing and make a decision on the application or to continue the application. Miss Johnson requested that the Board consider closing the public hearing for the purpose of making a decision on this application and not continuing it. She stated that a tremendous amount of details were provided and that as Mr. Bogardus mentioned there are certain items that will be contractor specific regarding means and methods. As such, she stated that this doesn't mean that this project will not be reviewed again for final approval, it just means that while the application is in the review process, final construction documents are not available some of the issues will be refined during the process of developing the final construction documents. Miss Johnson stated that what they have attempted to do is meet all of the concerns that were raised by Town staff and address them in the level of detail that they are able to at this stage of the design.

Mr. Kousidis stated that he agreed that Miss Johnson as an applicant, and Langan Engineering have provided staff with enough information to make him feel comfortable about moving forward but he wants the Board to have a chance to review a complete package to answer any possible additional questions.

The Board Chairman asked if there was any public comment, and hearing none, the Board went into work session.

#### DECISION

The Westport Flood & Erosion Control Board resolves to CONTINUE Application WPL #9218-12 to the next regularly scheduled Flood & Erosion Control Board meeting (January 9, 2013).

#### CONTINUED 4-0

2. **48 Owenoke Park / Application WPL #9219-12;** Application of Wilson and David McKane for the installation of a float, ramp, and fixed pier. Work is within the 100 year floodline of Gray's Creek (Saugatuck River).

The application was presented by the property owner, Wilson McKane who stated that her proposed dock has already received CT DEEP and Army Corp of Engineers approvals. She stated that it is a very simple dock that is comprised of a platform for standing and an aluminum ramp that will be parallel to the bulkhead.

In response to a Board inquiry, Mrs. McKane stated that the dock would be mounted to 2 pilings.

Mr. Kousidis stated the he would request that 2 conditions are considered in addition to any approval by the Board. The first is that the top of the pilings be set at least 1 foot above the base flood elevation which would be an installed height of elevation 13 at this location. The second condition for consideration would be that the Applicant follow the conditions set forth in the Army Corp and CT DEEP approvals.

The Board Chairman asked if there was any public comment, and hearing none, the Board went into work session.

**DECISION**

The Westport Flood & Erosion Control Board resolves to APPROVE Application WPL # 9219-12 subject to the following conditions:

1. Any current or future work within the WPLO setback shall be performed in strict conformance with the Waterway Protection Line Ordinance, section 148-6, as well as applicable State and Federal statutes for work within a regulated waterway.
2. All work within the regulated area shall be subject to final approval by both the Town Engineer and the Conservation Director.
3. The top of the pilings will be set at a minimum of 1 foot above the base flood elevation. (elevation 13).
4. Army Corp of Engineer and CT DEEP approvals will be adhered to.

APPROVED 4-0

Frank Donaldson, Acting Chairman  
Flood and Erosion Control Board

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