



# WESTPORT, CONNECTICUT

## FLOOD & EROSION CONTROL BOARD

TOWN HALL, 110 MYRTLE AVENUE  
WESTPORT, CONNECTICUT 06880  
(203) 341 1120 www.westportct.gov

### MINUTES

Flood & Erosion Control Board Meeting of September 1, 2021

Present for the Board: William S. Mazo (Chair)  
Phillip Schemel  
Aimee Monroy-Smith  
Robert Aldrich

Present for Department of Public Works: Peter Ratkiewich, Director of Public Works  
Keith Wilberg, Town Engineer  
Edward Gill, Engineer II

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William S. Mazo, Chair, opened the meeting at 7:30 pm.

1. **135 Harbor Road / Application WPL-11342-21;** *Application of Mr. John Hilts on behalf of the owner, Mr. Gary Rosenbach, to construct a new piling-supported timber pier, aluminum ramp, and timber floating dock anchored to timber pilings. The proposed activity is within the WPL area of the Saugatuck River.*

This application was presented by John Hilts on behalf of the owner, Gary Rosenbach.

Per the chair's request, Edward Gill summarized the Engineering Department's review of the application. He noted that the project has obtained approval from the Army Corps of Engineers and has received a Notice of Tentative Determination from the CT DEEP, and that he is in favor of approval.

There were questions from the Board regarding any FEMA regulations and sedimentation and erosion controls.

The Board went into Work Session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 8, 9, 11, and 12. (Refer to the appended sheet).

DECISION: Proposed Project Approved, 4(Y)-0(N).

2. **34 Owenoke Park / Application WPL-11373-21;** *Application of J.P. Franzen Associates, Architects, on behalf of the owners, Adam and Melanie Smith, to construct a 2-story addition and renovation to an existing residence. The proposed activity is within the WPL area of Gray's Creek.*

This application was presented by Jack Franzen of J.P. Franzen Associates and Mike Buturla of The Huntington Company, LLC, on behalf of the owners, Adam and Melanie Smith.

Per the chair's request, Edward Gill summarized the Engineering Department's review of the application. He noted that the stormwater drainage requirements for this property would only be for the detention of the first inch of runoff rather than a full 25-year storm flow analysis, and the plans may be revised to reduce the size of the proposed drainage for only the water quality volume.

There were questions from the Board regarding landscaping and the reasoning for the reduction from a 25-year storm drainage system to a water quality volume system.

The Board went into Work Session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, and 12. (Refer to the appended sheet).

DECISION: Proposed Project Approved, 4(Y)-0(N).

3. **1076 Post Road East / Application WPL-11374-21;** *Application of Post Plaza LLC, to remove existing storm drainage discharges on the neighboring property at 3A Iris Lane, and to relocate the storm drains to a new discharge point upstream. The proposed activity is within the WPL area of Muddy Brook.*

This application was presented by attorney John Fallon and David Gagnon of LANGAN, on behalf of the owners, Post Plaza LLC (1076 Post Road East) and Mitchell and Elizabeth Higgins (3A Iris Lane).

There were questions from the Board regarding the impact of increasing the flow of water to Muddy Brook, adverse impacts to neighbors, and what the benefits of the proposed work would be.

Steve Trinkaus of Trinkaus Engineering, LLC spoke on behalf of the owners of 3A Iris Lane in support of the application.

There were additional questions from the Board regarding increase in flows into Muddy Brook in a 25-year storm.

Per the chair's request, Edward Gill summarized the Engineering Department's review of the application. He noted that additional information would be required to show that the proposed activity would not have adverse impacts on a neighboring property, and to show that the system would function when considering the hydraulic conditions at the proposed discharge location. He stated that he would not be in favor of approval.

There were questions from the Board about what changes would be required from the applicant in order to address the concerns raised by the Engineering Department and the time it would take to obtain the required documents.

John Fallon noted that the applicant would not be able to prepare the required documents, and so they would need to have either an approval or a denial based on the plans already submitted.

Steve Trinkaus added that he does not believe that the existing discharge conditions would qualify as a bioswale or provide any significant water quality benefits, and the changes to the application he suggests would provide more stormwater treatment than the existing conditions. He also stated that the flooding of Muddy Brook at 3A Iris Lane and 1076 Post Road East is caused by the undersized culvert at Hillandale Road and the trees, branches, and

other debris in Muddy Brook, and that the best solution in his professional opinion is to utilize the plans submitted and substitute the water quality design he detailed in his report.

Peter Ratkiewich, Director of Public Works for Westport also presented his professional opinion of the application, disagreeing with the conclusions reached in the comments from Steve Trinkaus, and concurring with the conclusions of the review from the Engineering Department. He pointed out that while the pipe discharges do not flow through engineered bioswales, he does believe there are water quality benefits that would be lost by moving the discharge points as proposed. He also concurred that the flooding on the subject properties is due to the undersized Hillandale Road culvert, but stated that the debris in the channel would likely not have a significant impact on the flood heights.

The chair asked if there were any additional questions from the Board. There were none.

The Board went into Work Session. The chair stated his opinion that he believed the Board should support the Engineering Department's stance, and vote to deny the application.

DECISION: Proposed Project Denied, 0(Y)-4(N).

4. **1 Tuck Lane / Application WPL-11375-21;** *Application of Kousidis Engineering, LLC, on behalf of the owner, 1 Tuck Lane, LLC (Marcin Pyda), to construct a new single-family residence with attached garage, associated driveway, and new drainage and septic systems. The proposed activity is within the WPL area of the Aspetuck River.*

This application was presented by Avind Baur of Kousidis Engineering, LLC, on behalf of the owner, Marcin Pyda.

Per the Chair's request, Edward Gill summarized the Engineering Department's review of the application. He noted that there were minor revisions that would be required prior to obtaining a Zoning Permit. He also requested that the Board specify whether the pool would or would not be included in the approval of this project, and that the Engineering Department would be in favor of approval of the project with or without the pool as depicted on the plans.

There were questions from the Board regarding the intent of the applicant with regards to constructing the pool.

The Board went into Work Session. It was agreed that the pool, as depicted on the plans submitted, would not need to come back before the Flood Board, but if any changes were made to the plans, they would want such an application to be brought back to them. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12. (Refer to the appended sheet).

Decision: Proposed Project Approved, 4(Y)-0(N).

5. **7 Belaire Drive / Application WPL-11376-21;** *Application of Kousidis Engineering, LLC, on behalf of the owner, Victoria Considine, to construct a pool, patio, walkways, and fence. The proposed activity is within the WPL area of the Saugatuck River.*

This application was presented by Avind Baur of Kousidis Engineering, LLC, on behalf of the owner, Victoria Considine.

Per the Chair's request, Edward Gill summarized the Engineering Department's review of the application. He noted that the drainage installed when the house was construction was adequate for the proposed activity, and no additional drainage would be required.

The Board went into Work Session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 5, 6, 8, 9, 11, and 12. (Refer to the appended sheet).

DECISION: Proposed Project Approved, 4(Y)-0(N).

The meeting was adjourned at 9:15 pm.

Respectfully submitted,

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

WSM/eamg

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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