



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 6, 2023

Present for the Board: Paul Lobdell (Chair)
Phillip Schemel
Robert Aldrich
Ron Clarke*

Present for Department of Public Works: Edward Gill, Engineer II

*Until 8:15pm, only voting on the first application of the hearing.

Paul Lobdell, Chair, opened the meeting at 7:30 pm.

PUBLIC HEARING

1. **8 Spriteview Avenue / WPL-11770-23**; *Application of Yulee Aronson, PE, on behalf of the owner, Van Dam LLC, to lift an existing single-family dwelling to meet FEMA standards, and to construct a new elevator and front porch. The proposed activity is within the WPL area of the Saugatuck River.*

This application was presented by Yulee Aronson, PE.

Per the Chair's request, Edward Gill summarized the Engineering Department's review. He said that the revisions he had requested in his review had been made to the plans prior to the hearing, that the application met all pertinent requirements, and that he would be in favor of approval.

There were questions from the Board regarding nearby wetlands, flood openings for the house, and the proposed finished floor elevation.

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

The Board went into work session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 6, 7, 8, 9, 10, 11, and 12.

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

2. **79 Riverside Avenue / WPL-11774-23;** *Application of Bryan Nesteriak on behalf of the owner, Tiny House 79 LLC, to construct a new single-family dwelling, driveway, patio, walkway, steps, and retaining walls. The proposed activity is partially within the WPL area of the Saugatuck River.*

The application was presented by Bryan Nesteriak of B&B Engineering on behalf of the owner, Tiny House 79 LLC.

Per the Chair's request, Edward Gill summarized the Engineering Department's review. He said that the plans appeared to comply with all applicable Town requirements regarding grading, drainage, and sedimentation and erosion controls. He also said that the proposed house is outside of the mapped FEMA flood zone, and is thus not subject to FEMA requirements, but that in the opinion of the Engineering Department, development of the property with the house depicted would be irresponsible and created unnecessary risks of future flooding. He clarified that while his reservations should be considered by the applicant, the proposed activity on the plans complied with all applicable standards and as such he would not recommend its denial based on those reservations.

There were questions from the Board regarding the elevation of the property and the house, impacts to neighboring properties, the proposed patio, fill, and existing trees. The Board members also asked to confirm that the applicant knew about and understood the Engineering Department's reservations and recommendations.

The Chair asked if there were any questions from the Public.

Louis Mall, RTM member from District 2 and resident of the neighborhood spoke about the removal of trees, the existing flooding conditions and the significant concerns of neighbors about the impact of the proposed development on the neighboring Town park.

Rod Larsen, a resident of the neighborhood spoke about his agreement that the possible impacts to the neighboring park and the river concerned them, and the history of flooding should be considered in the development of the lot.

The Board went into work session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 8, 9, 10, 11, and 12.

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

3. **50 Roseville Road / WPL-11781-23;** *Application of Kousidis Engineering, LLC, on behalf of the owners, Natalia & Stanley Pinkus, to construct a new single-family dwelling, driveway, septic system, and associated site improvements. The proposed activity is partially within the WPL area of an unnamed tributary to the West Parish Tributary of Muddy Brook.*

The application was presented by Avind Baur of Kousidis Engineering LLC, on behalf of the owners, Stanley and Natalia Pinkus.

Per the Chair's request, Edward Gill summarized the Engineering Department's review. He said that the plans limit the proposed disturbance to a minimum with stabilization following the development across the property as the applicant works their way off the property to keep concurrent disturbance to a minimum. He also stated that the application will likely require multiple Zoning Board of Appeals variances and/or Board of Selectwomen waivers for the grading and driveway depicted on the plans, and that

some minor revisions were requested for the proposed drainage system that would likely not change the drainage system design.

There were questions from the Board regarding the drainage and driveway revisions that the Engineering Department had requested.

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

The Board went into work session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 8, 9, 10, 11, 12.

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

4. **3 Tupelo Road / WPL-11782-23;** *Application of Aleksandra Moch on behalf of the owners, Emily & Lewis Liebert, to construct a new in-ground swimming pool with an associated stormwater management system. The proposed activity is partially within the WPL area of Dead Man's Brook.*

The application was presented by Wayne D'Avanzo of Fairfield County Engineering LLC, on behalf of the owners, Emily & Lewis Liebert.

Per the Chair's request, Edward Gill summarized the Engineering Department's review. He said that the plans had been revised from the last time they were presented to the Flood Board to reduce the impacts to the existing drainage system, and that the only comments he would offer were recommendations that the applicant take advantage of the allowable 4" of storage in the pool to reduce the proposed drainage system size, which would reduce fill in the flood zone and reduce the compensatory excavation required. He also noted that those recommendations would only serve to reduce the proposed scope of work, and as such, he would recommend the approval of the project as depicted.

There were questions from the Board regarding MS4 (Municipal Separate Storm Sewer System) requirements,

The Chair asked if there were any questions from the Public. Edward Sfredo of 2 Pilgrim Trail said he had concerns about the impacts of the proposed construction on the wetlands on his property and the wetlands adjacent to his property, as well as impacts to the septic system on his property.

Brian and Donna Chapman of 211 Sturges Highway also stated their concerns about the proposed development, including the original fill, building height, and coverage for the house, the environmental impacts of the proposed work, existing flooding, property disputes, as well as additional issues stemming from the prior development of the property at 3 Tupelo, particularly concerning the impacts of development on their property.

The Board agreed that the Engineering Department should write a letter expressing the Board's concerns about the neighbor's concerns about the environmental impacts of the proposed development.

The Board went into work session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 8, 9, 10, 11, 12.

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

5. **155 Riverside Avenue / WPL-11785-23;** *Application of McChord Engineering Associates, Inc., on behalf of the owner, Jose E. Andrade Estate, to demolish and remove an existing single-family dwelling, and to construct a new single-family dwelling and associated site improvements. The proposed activity is within the WPL area of the Saugatuck River.*

The application was presented by Thomas Nelson of McChord Engineering, on behalf of the owner, Jose E. Andrade Estate.

Per the Chair's request, Edward Gill summarized the Engineering Department's review. He said that the project met all applicable requirements, and he would be in favor of approval.

There was a question from the Board regarding FEMA requirements.

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

The Board went into work session. It was agreed that the following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 8, 9, 10, 11, 12.

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

DISCUSSION

The Board agreed that due to the length of the public hearings section of the agenda, the discussion item at the end of the agenda would be moved to a future meeting.

The meeting was adjourned at 10:10 pm.

Respectfully submitted,

Paul H. Lobdell, Chair
Flood & Erosion Control Board

PHL/eamg

Cc: First Selectwoman, 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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