



# 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 November 1, 2023

Present for the Board: Paul Lobdell (Chair)  
Robert Aldrich  
Edward Picard (Alternate)

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

---

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

### **PUBLIC HEARING**

1. **7 Short Street / WPL-11823-23;** *Application of William Kenny Associates LLC, on behalf of the owners, Michael T. Francia & Katherine A. (Halso) Francia, to demolish existing improvements, construct a new single-family residence, driveway, in-ground swimming pool, and associated site improvements and plantings. The proposed activity is partially within the WPL area of the Saugatuck River.*

This application was presented by William Kenny of William Kenny Associates, on behalf of the owners, Michael T. Francia and Katherine A. (Halso) Francia.

Per the Chair's request, Edward Gill summarized the Engineering Department's review. He said that his review included several comments, but the minor revisions in each amounted to little change to the proposed activity and would only result in a reduction in activity that is in closest proximity to the watercourse. He said that he would recommend approval.

There were questions from the Board regarding the nature of the canal neighboring the property, the Saugatuck River, the flooding in the canal, the applicant's ability to address the comments made by the Engineering Department, the sedimentation & erosion controls proposed, and the proposed plantings.

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, 5, 6, 7, 8, 9, 10, 11, and 12.

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

## **DISCUSSION**

Because the discussion items were intended to gauge the Board member's thoughts about the future of their responsibilities, and because there were only two of the five members present, they would prefer to have that discussion when more members are present.

Mr. Gill said that there were several members of the Public in attendance, and asked if the Board would like to hear any items the Public would like to discuss.

Nancy Kail, RTM representative of District 9, said she was interested in some of the discussion topics that had been on the agenda, as were other RTM members in attendance, who would want to take part in the discussions.

The Chair asked if there were any suggestions regarding ways the Flood Board can do more to address flooding issues in Westport.

Nancy Kail said that she would encourage the Board to send their agendas to the RTM mail distribution list, as well as to reach out to people like her who have separate newsletters they send out to residents of Westport, as they can help to get the word out on issues.

Mr. Gill said that the Board's long-term goal had been to come up with specifics of their recommended changes to the Waterway Protection Line Ordinance, and once they have suggestions, then they could begin discussing those changes with RTM members to work out how to change the ordinance some time in the future.

Deborah Goldenberg, resident of 17 Valley Road, asked if the discussion item related to Pussy Willow Brook would be discussed.

Mr. Gill said that none of the discussion items on the agenda for this meeting were related to specific watercourses or projects, but that he could provide an update regarding Pussy Willow Brook. He said that while the Flood Board plans to begin prioritizing projects down the road, the Public Works Department had already decided to make a stream cleaning pilot program on Pussy Willow Brook up to Valley Road, and that they had already started at the downstream end of the Brook where it runs through State property between Greens Farms Road and I-95, but there were difficulties due to the property all being owned by the State. However, that program is still in the works, and is expected to extend through the office park and into the residential neighborhood below Valley Road.

Deborah Goldenberg asked if there was a way to receive notification when the Board would be discussing a specific Brook. She suggested an opt-in mailing list that could be signed up for on the Town website, and Nancy Kail suggested that individual residents could also sign up for automatically receiving agendas for the Flood Board. Mr. Gill said he would discuss the prospect of such a mailing list by watercourse and look into the feasibility.

Peter Swift, President of the Harvest Commons Association asked if he could bring up the topic of the development of the Long Lots School.

Mr. Gill said that the project there would need to be reviewed by the Flood Board in the future, when they have an application and plans for development. However, with no application, no plans, and no requests for review, it would not be appropriate to discuss the specifics of such a project or application when none of those specifics yet exist. Mr. Gill said that the project would be held to all Town requirements, including the need to address drainage, and show a no-net-increase from the lot up to a 25-year storm.

Peter Swift asked if the Board was aware that there are existing flooding concerns in the area, and that he had concerns regarding the neighboring work on Barbara Place in the past, but that Long Lots would be a much bigger deal.

Mr. Gill responded that he is aware of the flooding issues in this neighborhood as well as Muddy Brook, and that he had met with Peter Swift in the past to discuss flooding issues in the past, and that while Long Lots School would be a much larger property and a much larger project, the Town of Westport Drainage Standards scale with project size, and a significantly larger project does require significantly larger stormwater drainage systems.

The Chair asked if Nancy Kail could weigh in with any specific ideas about the Flood Board's involvement in addressing flooding issues. Nancy Kail said that involving the RTM more would help, and that there were two other members of the RTM at the meeting who could be useful resources to discuss the topic.

Kristin Schneeman, RTM representative of District 9, said she appreciated the involvement in the flooding meetings held in the past, and that on the topic of RTM involvement, she would recommend involving the RTM Planning & Zoning Committee Chair in the list of RTM members to reach out to.

Peter Swift said that he thought that planning for a 25-year storm is inadequate.

The meeting was adjourned at 8:35 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, RTM Moderator, Chair of RTM Environmental Committee, Chair of RTM Public Works Committee, Applicants, [minutes@westportct.gov](mailto:minutes@westportct.gov)

U:\Engineering\TOWN\FECB\Minutes\FECB Minutes 2023-11-01.docx

**STANDARD CONDITIONS OF APPROVAL:**

1. Applicant shall provide adequate sedimentation and erosion control devices for the proposed activity from the time that construction begins until such time that established ground cover has grown in. More specifically, the toe of filled slopes shall be protected by silt fencing and hay bales or other approved measures, and the face of all exposed slopes shall be protected with hay matting or other approved measures until such time that the slopes have stabilized. Tree protection and/or dewatering measures for the site shall be employed as specified on the approved plans OR as needed by specific field conditions.
2. Proposed site grading, as well as development in general, shall not alter drainage patterns to the detriment of adjoining or downstream properties.
3. All drainage facilities shall be designed to comply with the Town of Westport Engineering Department Storm Water Drainage Design Standards as amended to date (current revision date, 11/01/2015).
4. Applicants shall excavate test pits and conduct percolation tests at the proposed location of any storm water leaching facilities such as drywells, galleries, and stone pits. The test pits shall be witnessed and approved by the Engineering Department prior to installation of the proposed detention system.
5. The area under the proposed deck shall be excavated to a minimum depth of 6" and filled with ¾" crushed stone, or use an alternative drainage methodology as approved by the Town Engineer.
6. All construction shall conform to the requirements of the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP), as outlined in publication ASCE/SEI 24-14, "Flood Resistant Design and Construction," as amended to date.
7. All enclosed spaces below the Base Flood Elevation shall be constructed in conformance with FEMA Technical Bulletin 1-08, "Openings in Foundation Walls and Walls of Enclosures."
8. All final plans, details, and calculations shall be reviewed and approved by the Town Engineer.
9. All proposed work within the regulated area shall be subject to final approval by both the Town Engineer and the Conservation Director.
10. All plantings within the regulated area shall be as approved by the Westport Conservation Commission. No significant fill shall be placed within the WPLO setback other than that incidental to the plantings.
11. If the scope of this project increases or changes in any significant way, all additional or modified proposed work shall be approved by the Flood & Erosion Control Board and the Conservation Commission **prior to its commencement**, not after its completion.
12. It shall be the responsibility of the applicant to obtain and secure any additional necessary assent, permit, or license as required by law or regulation, including but not strictly limited to other Town of Westport, State of Connecticut, or United States Federal agencies.