



# 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 October 9, 2024

Present for the Board: Paul Lobdell (Chair)  
Aimee Monroy Smith  
Robert Aldrich

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

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

### **Public Hearing**

1. **28 Beachside Avenue / WPL-11981-24;** Application of Cindy Tyminski of Moon Gardens LLC, on behalf of the owners, David Hasson TR / Chiara Rudzin TR C/O SHRK CPA'S LLC, to construct a new single-family dwelling, pool, spa, sports court, bbq, generator, driveway, and associated site development including drainage structures and a septic system. The proposed activity is partially within the WPL area of New Creek.

The applicant requested that the application be heard at the next regularly scheduled meeting on November 6, 2024.

2. **14 Owenoke / WPL-12002-24;** Application of Cindy Tyminski of Moon Gardens LLC, on behalf of the owners, Owenoke Park Partners LLC, to construct a new single-family dwelling, attached garage, pool, patio, and associated site development including a new driveway, underground propane tank, and storm water drainage system. The proposed activity is within the WPL area of Gray's Creek.

The application was presented by Cindy Tyminski and William Chappa.

Per the Chair's request, Edward Gill summarized the Engineering Department's review. Mr. Gill said that there were some revisions required for the architectural plans to meet FEMA requirements, and those would be required prior to issuance of a Zoning Permit. He said he recommended approval.

There were questions from the Board regarding the flood elevation.

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

The following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, and 12.

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

3. **33 Woods Grove Road / WPL-12001-24;** Application of Cindy Tyminski of Moon Gardens LLC, on behalf of the owners, James Patrick & Linda J Hussey, to bring an existing single-family dwelling into FEMA compliance, reconstruct a roof and dormer, expand the second story, construct a new entry, lift mechanicals, and convert an existing terrace into a screened porch. The proposed activity is partially within the WPL area of the Saugatuck River.

The application was presented by Cindy Tyminski.

Per the Chair's request, Edward Gill summarized the Engineering Department's review. He said that the drainage requirement was assigned by the Engineering Department and would not need the applicant to hire a Professional Engineer, unless they wished to utilize alternatives to the required concrete gallery. He also noted that there is an existing dock on the site, which was not included as part of this application, and which had been the subject of a Notice of Violation from the Conservation Department earlier this year. If the applicant wished to legalize the dock instead of removing it, they would need to do so with another application. He said that he would recommend approval.

There were questions from the Board regarding the history of flooding, sewer, and erosion.

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

The following Standard Conditions of Approval were deemed necessary: 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, and 12.

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

## **Discussion**

At the request of the Chair, Mr Gill provided an update to the Board regarding the proposed changes to the Waterway Protection Line Ordinance. He summarized a meeting held with staff from Public Works, the Town Attorney's office, the chairs of the F&ECB and Conservation Commission, and RTM members regarding the possible paths forward for revising the existing WPLO.

There were questions from the Board regarding possible downsides to changing the WPLO, providing a public forum for people interested in the proposed activity.

The Board also discussed recent extreme weather around the country and the need to plan ahead for the increase in extreme weather. Mr Gill said that he did not have answers for how best to do so. The Board discussed the possibility of hosting a workshop to invite developers or designers to talk about ways of addressing flooding risks and concerns, to try to spread information and expertise to anyone in Westport who is interested.

The meeting was adjourned at 8:30 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 Environment Committee, Chair of RTM Public Works Committee, Applicants, [minutes@westportct.gov](mailto:minutes@westportct.gov)

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**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.