


Date: March 1, 2023  
To: Mr. Harry Fisher, Member, Board of Estimate & Taxation  
Cc: Board of Estimate & Taxation Members  
Board of Education Members  
Greenwich Public Schools Administration  
Old Greenwich School Building Committee Members  
From: James Waters, Chairman, Old Greenwich School Building Committee 

In response to your question “My question was, and is, at what point does renovation of OGS trigger FEMA and other code requirements that a building in a flood zone be raised?”, we contacted Langan Engineering and Environmental Services and Silver Petrucelli & Associates (SP&A) for their professional advice. The following is their response along with the building committee’s conclusions on this topic.

=====EMAIL CORRESPONDENCE BELOW=====

**From:** Joseph Devine <jdevine@langan.com>  
**Sent:** Sunday, February 26, 2023 1:49:43 PM  
**To:** David Stein <dstein@silverpetrucelli.com>; Brian Phillips <bphillips@Langan.com>; Chris Cardany <ccardany@Langan.com>  
**Cc:** Dean Petrucelli <dpetrucelli@silverpetrucelli.com>  
**Subject:** RE: Old Greenwich School Building Committee Update & Options

David,

A few relevant parts of Sec. 6-139.1 – Flood Hazard Overlay Zone of the Greenwich zoning regulations:

**Part (d)(8)** – *If any portion of a structure lies within a Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone.*

**Part (f)(11)(B)** – *Non-Residential Construction: New construction or substantial improvements of any commercial, industrial, or non-residential structure located in A and AE zones shall have the lowest floor including basement, elevated at least to **one (1) foot above** the level of the base flood elevation.*

**Part (c)(40)** - *Substantial Improvement - means any combination of repairs, reconstruction, alteration, or improvements to a structure taking place during the life of a structure, in which the cumulative costs equals or exceeds **fifty percent** of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure (using the cost approach to value) prior to the start of construction of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed*

*The term, Substantial Improvement, **does not however**, include any improvement project required to comply with existing health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official, and which are the minimum necessary to assure safe living conditions. Separate conditions govern any alteration of a historic structure listed on the National Register of Historical Places of the State Inventory of Historic Places.*

- If the improvements are less than 50 percent of the market value after applying the exceptions, then the entire structure would not necessarily need to be flood proofed or raised.

- The proposed addition should be constructed with a floor elevation one foot above the base flood elevation. Base flood elevation on FEMA mapping is Elevation 13 feet. Existing building plans show a first floor elevation as low as 12.41 feet.
- We recommend completing the topographic survey to establish all elevations relative to the FEMA base flood.
- We have included in our initial task list a preliminary review of the project with the Zoning Enforcement Officer to verify these conclusions and establish project parameters going forward.

=====END EMAIL CORRESPONDENCE=====

The OGSBC has considered this input and concluded that despite part of the Old Greenwich School (OGS) being in a flood zone, like much of Old Greenwich, the OGSBC does not anticipate the current renovation will trigger requirements that the building be raised, given that:

- The Board of Education’s Education Specifications (Ed Specs), which were unanimously approved by the BOE in October 2021, are focused on bringing the building into compliance with existing health, sanitary, or safety code specifications, which materially lowers the cumulative costs that would be deemed “Substantial Improvements.”
- The cumulative costs incurred as Substantial Improvements to the structure in the context of the OGS Renovation are not expected to exceed fifty percent of the market value of the building.

As a reminder, the OGS Ed Specs are focused on:

- Multiple modifications to comply with the Americans with Disabilities Act
- Accessible and secure front entrance
- Building-wide sprinkler system to comply with the fire code
- Building-wide HVAC system to comply with health and safety standards
- Permanently resolve stormwater management, flooding, and sewage in the building
- Replace four classrooms lost to improve accessibility and security

The OGSBC will be transparent with the community and local government on our findings. In the near term OGSBC design and engineering consultants are exploring existing conditions and will present solutions related to projects within the FEMA AE Zone mapping. Specific near term actions include:

- Commencing the Schematic Design process.
- Conducting a topographic survey to establish all elevations relative to the FEMA base flood.
- Asking our engineers to conduct a preliminary review of the project with the Zoning Enforcement Officer to verify these conclusions and establish project parameters going forward.

In addition to our current work, if the BET were to provide funds for the OGSBC to hire a professional to conduct an appraisal on Old Greenwich School to determine market value, we will see that done.

OGS has served the community for 121 years and water levels are an acknowledged challenge. Together with our consultants, the OGSBC, as responsible fiduciaries for the Town, will take every commercially reasonable measure, consistent with the Ed Specs, to prudently address this challenge and ensure OGS can continue to serve our community for decades to come.

We appreciate your interest in the Old Greenwich School renovation project; if you have additional questions, please don’t hesitate to contact me.