

**From:** Wilder Gleason [<mailto:wilder.gleason@gleasonllc.com>]

**Sent:** Thursday, June 04, 2020 2:19 PM

**To:** John Hilts

**Cc:** [drp@dentalartsofdarien.com](mailto:drp@dentalartsofdarien.com); Ginsberg, Jeremy; Susan Jacobson; 'Kevin R. Kotelly P.E.'; [mmarion@marionlawllc.com](mailto:mmarion@marionlawllc.com)

**Subject:** Pereira, David - Dock opposition 2020

John:

This email confirms that my client, David Pereira, has reviewed and approved the revised dock location shown on the attached STEPHENS SURVEY OVERLAY rev 4, dated 6-3-20. It is critical that the float be located no closer than 8' from the common property/littoral rights line between your clients' property and my client's property and that the float extend no more than 14' from MHW. This approval is subject to the following conditions which you indicated would be acceptable to your client:

1. The berthing restrictions imposed by the DEEP prohibiting berthing of boats/vessels on the north and east sides of the float will remain in place;
2. To comply with the requirements of the Darien Zoning Regulations you will have your plans stamped by a PE as required by Section 826.e.8 of the DZR and also have engineer certify that the structures have been, or will be designed, to withstand flooding forces per Section 825.d.1. of DZR.
3. My client accepts that your client will not engage an engineer to perform the analysis per Section 825.g.2 of the Darien Zoning Regulations.
4. When the project is complete the PE shall certify to the Darien PZC that the as built structure complies with Section 825.d.1 and with the approved plans.

Upon your confirming by an email to me that your clients' consent to the above, you may represent to the Army Corps of Engineers, DEEP, Five Mile River Commission and the Darien PZC that your clients and mine have reached an agreement pursuant to which my client withdraws his objections to the proposal, as modified above. Please keep me copied on any submissions to DEEP, ACOE, FMRC and Darien PZC to modify any existing approvals.

At your request I have copied ACOE, DEEP, FMRC and Darien PZC representatives to confirm this understanding which will be confirmed by your return email.

I appreciate your efforts and your clients' flexibility in modifying the plan to address my client's concerns.

Wilder

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