

SUBJECT TO APPROVAL

**MADISON COASTAL RESILIENCY COMMISSION
REGULAR MEETING MINUTES
Feb. 10, 2021**

The regular meeting of the Madison Coastal Resiliency Commission was conducted Wednesday, Feb. 10, 2021, at 7 p.m., in a public format, through a Zoom Online Webinar, with Public Participation made available through a publicly posted webinar link and password, as well as a call-in telephone number, with a webinar identification number.

MEMBERS PRESENT

Chairman Henry Maguire and Commissioners Graham Curtis, Woodie Weiss, Joseph Maco, Robert Sonnischsen, Wayne Rigney, Walter Welsh, Shannon Lewis, and Director of Planning and Economic Development David Anderson.

MEMBERS ABSENT

Clayton Patterson, Marilyn Shaw, David Clark, Anthony Doina, April Allen, Timothy Casey, Fred More, Elaine Stangland, and Gregory Makoul.

OTHERS PRESENT

Selectman Al Goldberg.

The regular meeting of the Madison Coastal Resiliency Commission was called to order at approximately 7 p.m. by Chairman Henry Maguire.

Call meeting to order. Chairman Henry Maguire called the meeting to order.

Review and approve Jan. 13, 2021 minutes: Commissioners reviewed the Jan. 13, 2021 minutes and were in favor of approving them as submitted.

Update on Flood Plain Ordinance.

Chairman Maguire and Commissioners Walter Welsh and Woodie Weiss met with First Selectwoman Peggy Lyons to discuss the Flood Plain Ordinance. Chairman Maguire stated that they reviewed the Coastal Resiliency Commission priorities in the ordinance and will be presenting the draft at the Feb. 22, 2021 Board of Selectmen meeting. Chairman Maguire reported that the meeting with the first selectwoman went very well, and she was positive not only about the Flood Plain Ordinance but also about the role of the Coastal Resiliency Commission, as a whole. Commissioner Weiss stated that the first selectwoman is in full acceptance of plans to move the Flood Plain Ordinance forward, as is. There are four issues that should be presented to the Board of Selectmen, along with the state Department of Energy and Environment's (DEEP) model for the creation of flood plain ordinances, according to Commissioner Weiss. Madison's current Flood Plain Ordinance has a one-year look back period, and DEEP's is 10 years, while other towns have adopted five years; the ordinance recommends five years for Madison, which will be phased in, with the starting date of July 1, 2018 to the year 2023, which is the fifth year. Madison is the only town in the state with the one-year period, according to Commissioner Weiss. A Base Flood Elevation (BFE) Plus 2 feet is in the Madison ordinance, and it will apply to the coastal AE zone and the E zone, which consists of about 150 to 160 houses, according to Commissioner Weiss. Since the state is recommending a flood plain administrator be named, the proposed Flood Plain Ordinance for Madison includes naming a flood plain administrator, with several commissioners believing the town engineer, who is also a civil engineer, should be the flood plain administrator; the Board of Selectmen would have the ability to deputize individuals for that post, to

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cover for absences, such as vacations, according to Commissioner Weiss. The fourth issue is the ability to allow residents to apply for variances, when encountering difficulties with the Flood Plain Ordinance. There should always be an ability for people to apply for variances; they should have a legal remedy to address any problems, according to Commissioner Weiss. Chairman Maguire stated that the Coastal Resiliency Commission does not just look at the current environment and regulations and state that the town has everything in place, as is needed and recommended; it is a forward looking commission, being alert to changes in the environment and addressing them.

Review proposal from SLR International Corp. (Formerly Milone & MacBroom) to assist in updating the 2016 Coastal Resiliency Master Plan.

David Murphy of Milone & MacBroom consulted on the original 2016 Coastal Resilience Master Plan for the town of Madison. Commissioner and Director of Planning and Economic Development David Anderson stated that up to \$10,000 can be used to update the current master plan, without having to go through an extended request for proposals. In choosing the same company and the same consultant to assist in updating the plan, Madison receives the benefit of working with someone who has experience in Madison's environmental issues, as well as the experience of having created the original document, according to Mr. Anderson. Plans are to reduce the scope of the full master plan update, to enable the town to move in the right direction, in terms of sea level rise, according to Mr. Anderson. Reducing the scope will really give town officials the best understanding of what they need to do, according to Mr. Anderson. Commissioner Robert Sonnischsen stated that SLR International Corp. has the experience, not only of what it has done for the town of Madison, but also of all of the work it has been doing all up and down the coast; it has the biggest base of experience. In reviewing the proposal, commissioners suggested a few changes be made, and asked Mr. Anderson to find out whether the changes they are proposing will increase the cost of the project. Suggestions included: Not just mentioning the Surf Club as a beach for nourishment, but including a number of beaches along the Madison shores for nourishment, and regarding sea level rise, in the area of coastal realignment/retreat, road retirement and property acquisitions, finding out whether there are solutions beyond road retirement and the sale of properties, such as buffering or improving wetlands. Mr. Anderson stated that he would draft a letter to send with those questions.

Chairman Maguire made the motion to approve and accept the proposal, as submitted, contingent upon clarification and further discussion and questions relating to retreat and acquisition, wetlands mitigation, and focusing on the whole town, and not just the Surf Club; it was seconded by Commissioner Welsh, and unanimously approved.

Vote to approve the proposal, with contingencies, passed 9-0-0.

IN FAVOR: Chairman Maguire and Commissioners Shannon Lewis, Weiss, Sonnischsen, Graham Curtis, Wayne Rigney, Welsh, Anderson, and Joseph Maco.

OPPOSED: None.

ABSTAINED: None.

General discussion.

Commissioner Anderson stated that state bonding for municipal projects is available, and Garvin Point seawall is a priority coastal resiliency project for the town of Madison; maybe the Coastal Resiliency Commission could save some taxpayers' dollars by receiving municipal bonding for the project.

Commissioner Anderson made the motion to pursue state assistance for the Garvin Point seawall project, as it is a high priority resiliency project which needs funding; it was seconded by Commissioner Weiss and unanimously approved.

Vote to pursue state assistance passed, 9-0-0.

IN FAVOR: Chairman Maguire and Commissioners Lewis, Weiss, Sonnischsen, Curtis, Rigney, Welsh, Anderson, and Maco.

OPPOSED: None.

ABSTAINED: None.

Commissioner Sonnischsen brought up the policy matter of DEEP's Coastal Area Management (CAM) Act regulations related to the construction of flood and erosion control structures; unless a house is falling into the water, DEEP will deny the project. Planning and Zoning Commissions are supposed to discourage coastal flood and erosion control structures, such as raising a seawall to protect a house in danger of floating away, and this is contrary to the state's current coastal area management policies, due to sea level rise. Commissioner Weiss stated that there is no certainty that these mechanisms, such as improving a seawall, will work, so the jury is out as to whether such construction should be permitted. Some of the projects work and some don't, Commissioner Sonnischsen stated; there is just a little bit of inconsistency in the language of the CAM Act with the flood and erosion control efforts. Commissioner Rigney stated that he is willing to work on this topic. Suggestions were made to engage in conversation with state senators and representatives.

Discussion of committee/subcommittee progress and next steps.

Technical Subcommittee: No report.

Policy Subcommittee: Flood Plain Ordinance has been updated.

Communications Subcommittee: Additional work expected in the future.

Adjourn. The Coastal Resiliency Commission agreed to adjourn at 8:12 p.m.

Respectfully submitted,
Marlene H. Kennedy, clerk