

SUBJECT TO APPROVAL

**MADISON COASTAL RESILIENCY COMMISSION
REGULAR MEETING MINUTES
April 14, 2021**

The regular meeting of the Madison Coastal Resiliency Commission was conducted Wednesday, April 14, 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 Marilyn Shaw, Woodie Weiss, Joseph Maco, Wayne Rigney, Walter Welsh, Robert Sonnichsen, Shannon Lewis, and Director of Planning and Economic Development David Anderson.

MEMBERS ABSENT

Clayton Patterson, Graham Curtis, 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 March 10, 2021 minutes.

Chairman Maguire made the motion to approve the March 10, 2021 minutes as submitted; it was seconded by Commissioner Joseph Maco and unanimously approved.

Vote to approve the March 10, 2021 minutes as submitted passed, 9-0-0.

IN FAVOR: Chairman Maguire and Commissioners Marilyn Shaw, Woodie Weiss, Joseph Maco, Wayne Rigney, Walter Welsh, Robert Sonnichsen, Shannon Lewis, and Director of Planning and Economic Development David Anderson.

OPPOSED: None.

ABSTAINED: None.

Discuss and take action on the recommendations provided to the Board of Selectmen regarding the Floodplain Ordinance.

Chairman Maguire stated that the goal is to talk about the Floodplain Ordinance, bring it to a vote before the Coastal Resiliency Commission Executive Committee, and, if it passes, move it forward to the Board of Selectmen, so decisions may be made as to further action. A proposed Floodplain Ordinance was earlier submitted to the Board of Selectmen, which conducted a public hearing on it, extensive comments were brought forward by the public, and the Floodplain Ordinance was then returned to the Coastal Resiliency Commission, according to Chairman Maguire. Having heard the public comments, the Coastal Resiliency Commission then altered the Floodplain Ordinance to address a number of issues that had been brought forth by the public; the Board of Selectmen asked the Coastal Resiliency Commission to review the Floodplain Ordinance and then vote on it, according to Chairman

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Maguire. Once approved by the Coastal Resiliency Commission, the approved Floodplain Ordinance version will return to the Board of Selectmen, who will then conduct another public hearing, according to Chairman Maguire. This Floodplain Ordinance has undergone much work, and many people participated in the process; the Coastal Resiliency Commission is actually making a recommendation, and it needs to get it to a decision-making body, according to Chairman Maguire. The Town of Madison has had a Floodplain Ordinance for a while, and it has had opportunities in the past to amend it, according to Chairman Maguire. Director of Planning and Economic Development and Coastal Resiliency Commissioner David Anderson shared with the public the 2016 *Town of Madison Coastal Resiliency Plan*, which was funded by the South Central Regional Council of Governments; he stated that the document can be found on the Town of Madison website, while referencing the plan's 2016 Executive Summary, which contains a number of recommended actions. Commissioner Anderson pointed to two of those recommended actions: TR3, adopt freeboard that exceeds the state recommended 1 foot, and TR4, expand substantial improvement definition to include improvements made over a period of five or 10 years. Both the Board of Selectmen and the Planning and Zoning Commission attended a presentation on coastal resiliency, given by the Connecticut Institute for Resilience and Climate Adaptation (CIRCA); the result of that presentation with CIRCA was the formation of the Coastal Resiliency Commission, according to Commissioner Anderson. He stated that he understands that not everyone agrees with the policy, but it is not necessarily a new recommendation. The Coastal Resiliency Commission has no authority or power. Chairman Maguire sought comments from the commissioners about the Floodplain Ordinance, in preparation for a vote by the Executive Committee to move it forward to the Board of Selectmen. Based on feedback from the public, the Coastal Resiliency Commission focused on amending the following in the Floodplain Ordinance: substantial improvement, the look-back period, and retaining a variance procedure, with hopes of making it become a more workable model, with a variance board that is properly staffed, Chairman Maguire stated. CIRCA Director of Applied Research Joseph MacDougald has emphasized that if the town doesn't do anything else, that it go to the BFE +2 (Base Flood Elevation Plus Two Feet), according to Chairman Maguire. At the time the town's Coastal Resiliency Plan was created, the state of Connecticut was recommending the one foot, as indicated in TR3. The Coastal Resiliency Commission did not change much in substantial improvement, according to Commissioner Woodie Weiss, but what has been changed is the look-back period, in that it was decided to use one year, making it July 1, 2023. That gives people an opportunity to finish projects they have started or are planning, according to Commissioner Weiss. After July 1, 2023, the look-back period becomes five years, and completed improvements prior to July 1, 2023 will not be counted in the substantial improvement calculation, Commissioner Weiss stated. Someone who does a project beginning on July 1, 2024 cannot look further back than July 1, 2023. The approach the Coastal Resiliency Commission has taken incorporates provisions that address sea level rise, and people should be prepared to do what they can to be prepared, according to Chairman Maguire. Commissioner Joseph Maco stated that he read all the letters received by the Board of Selectmen, and he thinks that the Coastal Resiliency Commission has addressed a lot of issues, regarding the look-back period. The state of Connecticut is deeply involved in this, and Commissioner Maco stated that he thinks people should be made aware of this. The Federal Emergency Management Agency (FEMA) has nothing in its regulations regarding the look-back period—FEMA believes a minimum of one year, according to Commissioner Weiss. Of the 26 towns in the state of Connecticut that have a Floodplain Ordinance, there is not one that does not have at least a one year look-back period, and most of them have five years, according to Commissioner Weiss. In the Floodplain Ordinances for Branford, Guilford, Clinton, and Westbrook, the look-back period is five years, according to Commissioner Weiss. The state of Connecticut recommends a 10 year look-back period; it is just a state Department of Energy and Environmental Protection (DEEP) recommendation; it is not an ordinance or in the state building code, Commissioner Weiss stated. Chairman Maguire asked to have the Executive Committee vote on the Floodplain Ordinance.

Chairman Maguire made the motion that the Coastal Resiliency Commission take the amended

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Floodplain Ordinance and approve it, and once approved, it will go to the Board of Selectmen. Commissioner Weiss seconded the motion, and it was unanimously approved by the Coastal Resiliency Commission Executive Committee.

Chairman Maguire stated that Commissioner David Clark, also an Executive Committee member, is absent, as well as Commissioner Graham Curtis; Chairman Maguire stated that Graham Curtis sent him an email stating that he approves of the motion.

Vote to approve the amended Floodplain Ordinance and forward it to the Board of Selectmen passed, 6-0-0.

IN FAVOR: Chairman Maguire and Commissioners Weiss, Anderson, Walter Welsh, Shannon Lewis, and Graham Curtis.

OPPOSED: None.

ABSTAINED: None.

Discussion of committee/subcommittee progress and next steps.

Technical: Commissioner Maco stated that there was no meeting or discussion. Communications: Commissioner Welsh stated that the Covid virus has delayed progress, but work is under way to inform the public. Policy: The focus has been on the Floodplain Ordinance, according to Chairman Maguire.

General discussion.

Commissioner Anderson stated that SLR International's David Murphy has asked for an approximate three-month delay before starting to assist the Coastal Resiliency Commission in updating the Coastal Resiliency Plan; no contract has yet been signed. Commissioner Anderson stated that he thinks the engagement the commission has with the public on this is helpful. In addition, State Representative John Michael Parker is looking toward finding bond money to help fund work at Garvin Point, according to Commissioner Anderson. Commissioner Maco asked whether the Flood and Erosion Control Board may have members from the Coastal Resiliency Commission on it. Commissioner Anderson stated that the governor's bill on Climate Change has some language in it on Flood and Erosion Control Boards, as well as coastal resiliency, but the town needs to wait to see if that bill passes, as well as whether there will be some state coastal resiliency funding. Regarding future changes, the Coastal Resiliency Commission has made no recommendations; any changes will involve the town engineer and staff, as well as the town attorney, according to Commissioner Anderson.

Adjourn.

Chairman Maguire stated that since there is nothing further, he will call to adjourn the meeting at 7:42 p.m.; it was seconded by Commissioner Maco and unanimously approved.

Vote to adjourn at 7:42 p.m. passed, 8-0-0. (Commissioner Sonnichsen was absent for this vote.)

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

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,
Marlene H. Kennedy, clerk