

SUBJECT TO APPROVAL

**MADISON COASTAL RESILIENCY COMMISSION
REGULAR MEETING MINUTES
June 10, 2020**

The regular meeting of the Madison Coastal Resiliency Commission was conducted Wednesday, June 10, 2020, 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 David Clark, Mary Barneby, Graham Curtis, Walter Welsh, Woodie Weiss, Joseph Maco, Robert Sonnischsen, Marilyn Shaw, April Allen, Timothy Casey, Anthony Doina, and Director of Planning and Economic Development David Anderson.

MEMBERS ABSENT

Fred More, Clayton Patterson, Wayne Rigney, William Gladstone, Elaine Stangland, and Gregory Makoul.

OTHERS PRESENT

None.

The regular meeting of the Madison Coastal Resiliency Commission was called to order at approximately 7:04 p.m. by Chairman Henry Maguire.

Call meeting to order. Chairman Henry Maguire called the meeting to order at 7:04 p.m.

Discussion and Potential Action on Flood Plain Ordinance Recommendation

Commissioner Walter Welsh stated that Commissioner Woodie Weiss has discussed this with the Policy Subcommittee, and the Communications Subcommittee has made it known that there are three ways to approach preparing for the state mandated sea level rise of 20 inches by the year 2050: Adaptation, Protection, and Accommodation. The proposed Flood Plain Ordinance fits into the category of accommodation, Commissioner Welsh stated. Commissioner Weiss gave a brief overview of the history behind recommending a flood plain ordinance for the town of Madison. In October 2015, the state of Connecticut amended its building code to reflect the 2015 International Building Code, which also reflected standards of the Federal Emergency Management Agency (FEMA), according to Commissioner Weiss. Everyone was mandated to follow the state of Connecticut building code, but not all towns had updated their regulations, and Madison is now in the updating process and plans to recommend a Flood Plain Ordinance to the Board of Selectmen for adoption, which matches state requirements and FEMA standards. Commissioner Weiss stated that in 2019, he and Director of Planning and Economic Development David Anderson worked on incorporating the state recommendations into the local ordinance, using the state Department of Energy and Environmental Protection (DEEP) model flood plain ordinance; DEEP made everything simple, by highlighting in red the changes that Madison should make to its ordinance. Since the state has mandated that the towns look at the 20-inch sea level rise by 2050, determinations had to be made as to what changes would be required in the local ordinance to accommodate that sea level rise. Commissioner Weiss summarized the changes that were made, stating that a 10-year time limit recommended by the state to meet standards, while remodeling, to be in compliance with FEMA flood elevations as well as the state mandated sea level rise, was found to be reduced to five years, by the bulk of the towns in the state. Within five years, homeowners would have to meet the target of

substantial improvement; Madison incorporated the five-year limit as well, in its Flood Plain Ordinance proposal, according to Commissioner Weiss. That five-year limit aligns with towns nearby Madison, such as Guilford, Branford, Clinton and Westbrook. FEMA intends for the initial value of the dwelling, at the time of taking out the building permit, to be carried through to the look-back period, according to Commissioner Weiss, who stated that the goal is to have more structures brought into compliance, so they are able to withstand the sea level rise and to have dwellings that are more resilient. In 2015, FEMA adopted a base flood elevation plus one foot (BFE +1), which is the elevation at which, during mean high tide, the water would reach the dwelling. That was adopted in 2015, but for Madison, it had to be higher, due to the state mandated 20-inch sea level rise by 2050, so Madison required it to be base flood elevation plus two feet (BFE + 2); New London currently has the same two-foot standard, according to Commissioner Weiss. The cost to the homeowner is not going to be more significant to comply with the plus two feet, instead of the plus one foot, according to Commissioner Mary Barneby. The Planning and Zoning Commission had invited the Connecticut Institute for Resilience and Climate Adaptation (CIRCA) to do a presentation on sea level rise and the state mandated 20 inches by 2050, according to Mr. Anderson, and CIRCA went through the same information with town and land use officials, and its representatives supported Madison going the two feet above the one-foot recommendation. The Planning and Zoning Commission did recommend that to the Board of Selectmen, as well as making the look-back period five years, instead of 10 years, according to Mr. Anderson. So when the Coastal Resiliency Commission takes the proposed Flood Plain Ordinance to the Board of Selectmen for approval, it will be the second time the selectmen have heard about the base flood elevation of two feet, instead of one foot, and the five year look-back period, instead of the 10 year look-back period, according to Mr. Anderson. Discussion centered on how to address the fact that FEMA will always be adjusting its base flood elevation, and homeowners who have recently remodeled will, again, be out of compliance; it was asked whether something needs to be put into the proposed Flood Plain Ordinance to address this issue. Commissioner Weiss stated that FEMA gives everyone a fair amount of warnings about these issues; since 2018, it has been base flood elevation, plus one foot, and all Madison is doing is making it base flood elevation, plus two feet, recognizing that base flood elevation, plus one foot, does not meet the state mandated sea level rise of 20 inches by 2050. Commissioner Welsh stated that this is the Coastal Resiliency Commission, but it is also looking at the rest of the town, in terms of flooding and resiliency; the Board of Selectmen will be looking at the entire town, as well. The special flood hazard area along the rivers—Commissioner Welsh asked if anybody on the commission knows where they are located in town. Mr. Anderson stated that these can be easily found on an overlay of the flood areas posted on the Geographic Information System (GIS) that is available to the town. It is important for everything to match, according to Commissioner Robert Sonnischsen; if the Flood Plain Ordinance says one thing, but the building code says something different, that will present a problem. Consistency is needed to prevent concerns, according to Commissioner Sonnischsen. Chairman Henry Maguire stated that if the commissioners have questions about the Flood Plain Ordinance proposal, the commission needs to answer those questions soundly. Finding a valid answer to a concern will also enable the commission to identify the people who will be affected by that concern, according to Commissioner Maguire. Commissioner Barneby asked about the time frame for recommending the Flood Plain Ordinance to the Board of Selectmen. Mr. Anderson stated that the Coastal Resiliency Commission could bring the ordinance forward to the Board of Selectmen in a Zoom meeting environment, but how a town meeting is handled to adopt it would need to be determined. Everyone on the Coastal Resiliency Commission should be comfortable about what questions would be raised, and it should know how those questions would be answered, according to Mr. Anderson, who recommended that an open ended document not be moved forward to the Board of Selectmen. Chairman Maguire stated that resilience also takes into consideration the fact that storms and rain events are becoming more powerful and lasting longer, thus causing rivers, streams and lakes to expand and overflow. Some areas of town are in the flood plain, but they are not affected by the sea level rise, Commissioner Welsh stated. Discussion centered on areas in town, beyond the coast, that will experience flooding due to increased rainfall, global

warming, and groundwater increases. Commissioner Sonnischsen mentioned the Neck River, Bailey Creek and the Hammonasset River, which all have profiles that show the extent of flooding in those areas; the 20 inches of sea level rise could be added to those profiles, and the commission would then have an idea on the extent of flooding in town. Elevations in North Madison are 50 to 60 feet above sea level, so the 20 inches on top of that is not going to touch North Madison, Commissioner Sonnischsen stated, but North Madison should still be looked at, in terms of flooding events. Mr. Anderson asked whether the commission is talking about looking at very specific geographic areas, or if it is talking about excluding some areas of town from the base flood elevation, plus two. Commissioner Weiss stated that he likes the idea of using the flood zone designations, such as AE, rather than geographic areas. Chairman Maguire stated that he is not looking forward to backing off on the plus two; he just wants to know if it should be plus two all over town. Mr. Anderson asked Commissioner Sonnischsen if he could help with this process, and Commissioner Sonnischsen stated that he would be happy to do so; he estimated that within a couple of weeks he could come up with a reasonable explanation of what the Coastal Resiliency Commission needs. Commissioner Weiss reviewed a couple of changes he made in the language of the proposed Flood Plain Ordinance to tighten it up. Commissioners also discussed the role of the Flood and Erosion Control Board, as well as how the proposed Flood Plain Ordinance would be enforced. Mr. Anderson stated that he would like the Coastal Resiliency Commission to be focused on policy and not enforcement, and he stated that he would suggest that the proposed Flood Plain Ordinance be sent to the Board of Selectmen by late July or August. The Coastal Resiliency Commission could give a presentation to the Board of Selectmen, Mr. Anderson stated. Commissioner Weiss spoke in favor of changing base flood elevation, plus two to base flood elevation, plus one, on areas of town that will not face the sea level rise of 20 inches by 2050. If the commission could get this through and get it adopted, then that would be a great first step, and it would clear the path for the commission to focus on other areas, according to Chairman Maguire.

Discussion of Committee/Subcommittee Progress and Next Steps

Work is ongoing and progressing in the areas of communication, technical, and policy.

General Discussion

Director of Planning and Economic Development David Anderson stated that he would like the Coastal Resiliency Commission to focus its efforts on being a group which proposes policy and regulatory changes that the town needs. He stated that he would like the commission to look for regulatory changes that would be needed in the future.

Adjournment.

Commissioner Weiss made the motion to adjourn at 8:25 p.m.; it was seconded by Commissioner April Allen and unanimously approved.

Vote to adjourn at 8:25 p.m. passed, 12-0-0.

IN FAVOR: Chairman Maguire and Commissioners Barneby, Curtis, Welsh, Weiss, Joseph Maco, Sonnischsen, Marilyn Shaw, Allen, Timothy Casey, Anthony Doina, and Director of Planning and Economic Development David Anderson.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,
Marlene H. Kennedy, clerk